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Senate File 2130

H-8212

1 Amend Senate File 2130, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 6, after line 24 by inserting:
4 <DIVISION _____
5 PERSONNEL SETTLEMENT AGREEMENT PAYMENTS
6 Sec. _____. PERSONNEL SETTLEMENT AGREEMENT
7 PAYMENTS. As a condition made to any appropriation to
8 the department of transportation as provided in this
9 Act, moneys appropriated and any other moneys available
10 for use by the department under this Act shall not
11 be used for the payment of a personnel settlement
12 agreement between the department and a state employee
13 that contains a confidentiality provision intended to
14 prevent public disclosure of the agreement or any terms
15 of the agreement.>

COMMITTEE ON APPROPRIATIONS
SODERBERG of Plymouth, Chairperson



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House File 2462 - Introduced

HOUSE FILE 2462
BY COMMITTEE ON GOVERNMENT
OVERSIGHT

(SUCCESSOR TO HSB 684)

A BILL FOR

1 An Act concerning public employee personnel settlement
2 agreements and disciplinary actions, and including effective
3 date and retroactive applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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ec/rj



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1 Section 1. Section 22.7, subsection 11, paragraph a,
2 subparagraph (5), Code 2014, is amended to read as follows:

3 (5) The fact that the individual resigned in lieu of
4 termination, was discharged, or was demoted as the result
5 of a final disciplinary action upon the exhaustion of all
6 applicable contractual, legal, and statutory remedies, and the
7 documented reasons and rationale for the resignation in lieu of
8 termination, the discharge, or the demotion.

9 Sec. 2. NEW SECTION. 22.13A Personnel settlement agreements
10 — state employees — confidentiality — disclosure.

11 1. For purposes of this section:

12 a. *"Personnel settlement agreement"* means a binding legal
13 agreement between a state employee and the state employee's
14 employer, subject to section 22.13, to resolve a personnel
15 dispute including but not limited to a grievance. *"Personnel*
16 *settlement agreement"* does not include an initial decision by a
17 state employee's immediate supervisor concerning a personnel
18 dispute or grievance.

19 b. *"State employee"* means an employee of the state who is
20 an employee of the executive branch as described in sections
21 7E.2 and 7E.5.

22 2. Personnel settlement agreements shall not contain any
23 confidentiality or nondisclosure provision that attempts to
24 prevent the disclosure of the personnel settlement agreement.
25 In addition, any confidentiality or nondisclosure provision in
26 a personnel settlement agreement is void and unenforceable.

27 3. The requirements of this section shall not be superseded
28 by any provision of a collective bargaining agreement.

29 4. All personnel settlement agreements shall be made easily
30 accessible to the public on an internet site maintained as
31 follows:

32 a. For personnel settlement agreements with an employee of
33 the executive branch, excluding an employee of the state board
34 of regents or institution under the control of the state board
35 of regents, by the department of administrative services.

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1 b. For personnel settlement agreements with an employee of
2 the state board of regents or institution under the control of
3 the state board of regents, by the state board of regents.

4 Sec. 3. IMPLEMENTATION PROVISION. This Act shall not be
5 construed to limit or impair the ability of law enforcement
6 personnel to investigate any activity that may violate the laws
7 of the state.

8 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
9 immediate importance, takes effect upon enactment.

10 Sec. 5. RETROACTIVE APPLICABILITY. The following provision
11 of this Act applies retroactively to January 1, 2004:

12 1. The section of this Act amending section 22.7, subsection
13 11.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill concerns disclosure of information relating to
18 disciplinary actions taken against certain public employees and
19 personnel settlement agreements with state employees.

20 Code section 22.7(11), concerning personal information in
21 confidential personnel records of government bodies, is amended
22 to provide that information in an official's, officer's, or
23 employee's personnel records concerning the fact that such an
24 individual resigned in lieu of termination or was demoted as
25 the result of a final disciplinary action by a government body
26 and the documented reasons and rationale for any resignation
27 in lieu of termination, discharge, or demotion against an
28 individual are public records and not confidential. Under
29 current law, only the fact in a personnel record that the
30 individual was discharged is considered a public record and not
31 confidential. This provision takes effect upon enactment and
32 applies retroactively to January 1, 2004.

33 New Code section 22.13A provides that personnel settlement
34 agreements between the state and an employee of the state shall
35 not contain any confidentiality or nondisclosure provisions

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1 that attempt to prevent the disclosure of the personnel
2 settlement agreement and shall be made available to the public
3 on an internet site. In addition, the bill provides that any
4 confidentiality or nondisclosure provision in a personnel
5 settlement agreement is not enforceable. New Code section
6 22.13A is applicable to employees of the executive branch of
7 government and defines a personnel settlement agreement as a
8 binding legal agreement between a state employee and the state
9 employee's employer, subject to Code section 22.13 relating to
10 settlement agreements as public records, to resolve a personnel
11 dispute including but not limited to certain grievances. The
12 bill provides that the internet site be maintained by the
13 department of administrative services or board of regents,
14 as applicable, based on the employee covered. The bill also
15 provides that the requirements of this new provision shall not
16 be superseded by any collective bargaining agreement.
17 The bill includes an implementation provision that provides
18 that the bill shall not be construed to limit or impair the
19 ability of law enforcement personnel to investigate violations
20 of the law.
21 These provisions of the bill take effect upon enactment.



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House File 2463 - Introduced

HOUSE FILE 2463
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO HSB 685)

A BILL FOR

1 An Act relating to appropriations for health and human services
2 and veterans and including other related provisions and
3 appropriations, and including effective date and retroactive
4 and other applicability date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

DEPARTMENT ON AGING

Section 1. 2013 Iowa Acts, chapter 138, section 131, is amended to read as follows:

SEC. 131. DEPARTMENT ON AGING. There is appropriated from the general fund of the state to the department on aging for the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For aging programs for the department on aging and area agencies on aging to provide citizens of Iowa who are 60 years of age and older with case management for frail elders, Iowa's aging and disabilities resource center, and other services which may include but are not limited to adult day services, respite care, chore services, information and assistance, and material aid, for information and options counseling for persons with disabilities who are 18 years of age or older, and for salaries, support, administration, maintenance, and miscellaneous purposes, and for not more than the following full-time equivalent positions:

.....	\$	5,300,190
		<u>10,606,066</u>
.....	FTEs	28.00

1. Funds appropriated in this section may be used to supplement federal funds under federal regulations. To receive funds appropriated in this section, a local area agency on aging shall match the funds with moneys from other sources according to rules adopted by the department. Funds appropriated in this section may be used for elderly services not specifically enumerated in this section only if approved by an area agency on aging for provision of the service within the area.

2. Of the funds appropriated in this section, ~~\$139,973~~ \$279,946 is transferred to the economic development authority for the Iowa commission on volunteer services to be used for

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1 the retired and senior volunteer program.

2 3. a. The department on aging shall establish and enforce
3 procedures relating to expenditure of state and federal funds
4 by area agencies on aging that require compliance with both
5 state and federal laws, rules, and regulations, including but
6 not limited to all of the following:

7 (1) Requiring that expenditures are incurred only for goods
8 or services received or performed prior to the end of the
9 fiscal period designated for use of the funds.

10 (2) Prohibiting prepayment for goods or services not
11 received or performed prior to the end of the fiscal period
12 designated for use of the funds.

13 (3) Prohibiting the prepayment for goods or services
14 not defined specifically by good or service, time period, or
15 recipient.

16 (4) Prohibiting the establishment of accounts from which
17 future goods or services which are not defined specifically by
18 good or service, time period, or recipient, may be purchased.

19 b. The procedures shall provide that if any funds are
20 expended in a manner that is not in compliance with the
21 procedures and applicable federal and state laws, rules, and
22 regulations, and are subsequently subject to repayment, the
23 area agency on aging expending such funds in contravention of
24 such procedures, laws, rules and regulations, not the state,
25 shall be liable for such repayment.

26 4. Of the funds appropriated in this section, ~~\$125,000~~
27 \$250,000 shall be used to fund services to meet the unmet needs
28 of older individuals as identified in the annual compilation of
29 unmet service units by the area agencies on aging.

30 5. Of the funds appropriated in this section, ~~\$300,000~~
31 \$600,000 shall be used to fund home and community-based
32 services through the area agencies on aging that enable older
33 individuals to avoid more costly utilization of residential or
34 institutional services and remain in their own homes.

35 6. Of the funds appropriated in this subsection, ~~\$10,000~~

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1 \$20,000 shall be used for ~~implementation~~ continuation of a
2 guardianship and conservatorship monitoring and assistance
3 pilot project as specified in this 2013 Act.

4 DIVISION II

5 OFFICE OF LONG-TERM CARE OMBUDSMAN

6 Sec. 2. 2013 Iowa Acts, chapter 138, section 132, is amended
7 to read as follows:

8 SEC. 132. OFFICE OF LONG-TERM CARE ~~RESIDENT'S ADVOCATE~~
9 OMBUDSMAN. There is appropriated from the general fund of
10 the state to the office of long-term care ~~resident's advocate~~
11 ombudsman for the fiscal year beginning July 1, 2014, and
12 ending June 30, 2015, the following amount, or so much thereof
13 as is necessary, to be used for the purposes designated:

14 For salaries, support, administration, maintenance, and
15 miscellaneous purposes, and for not more than the following
16 full-time equivalent positions:

17	\$	510,854
18		<u>821,707</u>
19	FTEs	13.00
20		<u>11.00</u>

21 2. Of the funds appropriated in this section, ~~\$105,000~~
22 \$210,000 shall be used to provide two local long-term care
23 ~~resident's advocates~~ ombudsman to administer the certified
24 volunteer long-term care ~~resident's advocates~~ ombudsman program
25 pursuant to section 231.45, including operational certification
26 and training costs.

27 DIVISION III

28 DEPARTMENT OF PUBLIC HEALTH

29 Sec. 3. 2013 Iowa Acts, chapter 138, section 133, is amended
30 to read as follows:

31 SEC. 133. DEPARTMENT OF PUBLIC HEALTH. There is
32 appropriated from the general fund of the state to the
33 department of public health for the fiscal year beginning July
34 1, 2014, and ending June 30, 2015, the following amounts, or
35 so much thereof as is necessary, to be used for the purposes

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1 designated:

2 1. ADDICTIVE DISORDERS

3 For reducing the prevalence of use of tobacco, alcohol, and
4 other drugs, and treating individuals affected by addictive
5 behaviors, including gambling, and for not more than the
6 following full-time equivalent positions:

7 \$ ~~13,581,845~~

8 27,088,690

9 FTEs 13.00

10 a. (1) Of the funds appropriated in this subsection,
11 ~~\$2,574,181~~ \$5,073,361 shall be used for the tobacco use
12 prevention and control initiative, including efforts at the
13 state and local levels, as provided in chapter 142A. The
14 commission on tobacco use prevention and control established
15 pursuant to section 142A.3 shall advise the director of
16 public health in prioritizing funding needs and the allocation
17 of moneys appropriated for the programs and activities of
18 the initiative under this subparagraph (1) and shall make
19 recommendations to the director in the development of budget
20 requests relating to the initiative.

21 (2) Of the funds allocated in this paragraph "a", ~~\$37,500~~
22 ~~shall be used to develop a social media structure to engage~~
23 ~~youth and prevent youth initiation of tobacco use. Of the~~
24 ~~amount allocated in this subparagraph (2), \$12,500~~ \$25,000
25 shall be used for a youth summit.

26 (3) Of the funds allocated in this paragraph "a", ~~\$100,000~~
27 \$200,000 shall be used to increase the efficacy of local
28 tobacco control efforts by community partnerships, including
29 through professional development, regional trainings and round
30 table planning efforts, and a training opportunity involving
31 all community partnerships.

32 (4) Of the funds allocated in this paragraph "a", ~~\$600,000~~
33 \$1,950,000 shall be used to promote smoking cessation and to
34 reduce the number of tobacco users in the state by offering
35 nicotine replacement therapy to uninsured and underinsured

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1 Iowans.

2 (5) (a) Of the funds allocated in this paragraph "a",
3 ~~\$226,534~~ \$453,067 is transferred to the alcoholic beverages
4 division of the department of commerce for enforcement of
5 tobacco laws, regulations, and ordinances and to engage in
6 tobacco control activities approved by the division of tobacco
7 use prevention and control as specified in the memorandum of
8 understanding entered into between the divisions.

9 (b) For the fiscal year beginning July 1, 2014, and ending
10 June 30, 2015, the terms of the memorandum of understanding,
11 entered into between the division of tobacco use prevention
12 and control of the department of public health and the
13 alcoholic beverages division of the department of commerce,
14 governing compliance checks conducted to ensure licensed retail
15 tobacco outlet conformity with tobacco laws, regulations, and
16 ordinances relating to persons under eighteen years of age,
17 shall continue to restrict the number of such checks to one
18 check per retail outlet, and one additional check for any
19 retail outlet found to be in violation during the first check.

20 b. Of the funds appropriated in this subsection,
21 ~~\$11,007,665~~ \$22,015,329 shall be used for problem gambling and
22 substance-related disorder prevention, treatment, and recovery
23 services, including a 24-hour helpline, public information
24 resources, professional training, and program evaluation.

25 (1) Of the funds allocated in this paragraph "b", ~~\$9,451,858~~
26 \$18,903,715 shall be used for substance-related disorder
27 prevention and treatment.

28 (a) Of the funds allocated in this subparagraph (1),
29 ~~\$449,650~~ \$899,300 shall be used for the public purpose of a
30 grant program to provide substance-related disorder prevention
31 programming for children.

32 (i) Of the funds allocated in this subparagraph division
33 (a), ~~\$213,770~~ \$427,539 shall be used for grant funding for
34 organizations that provide programming for children by
35 utilizing mentors. Programs approved for such grants shall be



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1 certified or will be certified within six months of receiving
2 the grant award by the Iowa commission on volunteer services as
3 utilizing the standards for effective practice for mentoring
4 programs.

5 (ii) Of the funds allocated in this subparagraph division
6 (a), ~~\$213,420~~ \$426,839 shall be used for grant funding for
7 organizations that provide programming that includes youth
8 development and leadership. The programs shall also be
9 recognized as being programs that are scientifically based with
10 evidence of their effectiveness in reducing substance-related
11 disorders in children.

12 (iii) The department of public health shall utilize a
13 request for proposals process to implement the grant program.

14 (iv) All grant recipients shall participate in a program
15 evaluation as a requirement for receiving grant funds.

16 (v) Of the funds allocated in this subparagraph division
17 (a), up to ~~\$22,461~~ \$44,922 may be used to administer
18 substance-related disorder prevention grants and for program
19 evaluations.

20 (b) Of the funds allocated in this subparagraph (1),
21 ~~\$136,302~~ \$272,603 shall be used for culturally competent
22 substance-related disorder treatment pilot projects.

23 (i) The department shall utilize the amount allocated
24 in this subparagraph division (b) for at least three pilot
25 projects to provide culturally competent substance-related
26 disorder treatment in various areas of the state. Each pilot
27 project shall target a particular ethnic minority population.
28 The populations targeted shall include but are not limited to
29 African American, Asian, and Latino.

30 (ii) The pilot project requirements shall provide for
31 documentation or other means to ensure access to the cultural
32 competence approach used by a pilot project so that such
33 approach can be replicated and improved upon in successor
34 programs.

35 (2) Of the funds allocated in this paragraph "b", up



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1 to ~~\$1,555,807~~ \$3,111,614 may be used for problem gambling
2 prevention, treatment, and recovery services.

3 (a) Of the funds allocated in this subparagraph (2),
4 ~~\$1,286,881~~ \$2,573,762 shall be used for problem gambling
5 prevention and treatment.

6 (b) Of the funds allocated in this subparagraph (2), up to
7 ~~\$218,926~~ \$437,852 may be used for a 24-hour helpline, public
8 information resources, professional training, and program
9 evaluation.

10 (c) Of the funds allocated in this subparagraph (2), up
11 to ~~\$50,000~~ \$100,000 may be used for the licensing of problem
12 gambling treatment programs.

13 (3) It is the intent of the general assembly that from the
14 moneys allocated in this paragraph "b", persons with a dual
15 diagnosis of substance-related disorder and gambling addiction
16 shall be given priority in treatment services.

17 c. Notwithstanding any provision of law to the contrary,
18 to standardize the availability, delivery, cost of delivery,
19 and accountability of problem gambling and substance-related
20 disorder treatment services statewide, the department shall
21 continue implementation of a process to create a system
22 for delivery of treatment services in accordance with the
23 requirements specified in 2008 Iowa Acts, chapter 1187, section
24 3, subsection 4. To ensure the system provides a continuum
25 of treatment services that best meets the needs of Iowans,
26 the problem gambling and substance-related disorder treatment
27 services in any area may be provided either by a single agency
28 or by separate agencies submitting a joint proposal.

29 (1) The system for delivery of substance-related disorder
30 and problem gambling treatment shall include problem gambling
31 prevention.

32 (2) The system for delivery of substance-related disorder
33 and problem gambling treatment shall include substance-related
34 disorder prevention by July 1, 2015.

35 (3) Of the funds allocated in paragraph "b", the department

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1 may use up to ~~\$50,000~~ \$100,000 for administrative costs to
2 continue developing and implementing the process in accordance
3 with this paragraph "c".

4 d. The requirement of section 123.53, subsection 5, is met
5 by the appropriations and allocations made in this 2014 Act for
6 purposes of substance-related disorder treatment and addictive
7 disorders for the fiscal year beginning July 1, 2014.

8 e. The department of public health shall work with all
9 other departments that fund substance-related disorder
10 prevention and treatment services and all such departments
11 shall, to the extent necessary, collectively meet the state
12 maintenance of effort requirements for expenditures for
13 substance-related disorder services as required under the
14 federal substance-related disorder prevention and treatment
15 block grant.

16 2. HEALTHY CHILDREN AND FAMILIES

17 For promoting the optimum health status for children,
18 adolescents from birth through 21 years of age, and families,
19 and for not more than the following full-time equivalent
20 positions:

21	\$	1,826,780
22		<u>3,671,602</u>
23	FTEs	14.00

24 a. Of the funds appropriated in this subsection, not
25 more than ~~\$367,421~~ \$734,841 shall be used for the healthy
26 opportunities for parents to experience success (HOPES)-healthy
27 families Iowa (HFI) program established pursuant to section
28 135.106. The funding shall be distributed to renew the grants
29 that were provided to the grantees that operated the program
30 during the fiscal year ending June 30, 2014.

31 b. In order to implement the legislative intent stated in
32 sections 135.106 and 256I.9, that priority for home visitation
33 program funding be given to programs using evidence-based or
34 promising models for home visitation, it is the intent of the
35 general assembly to phase in the funding priority in accordance



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1 with 2012 Iowa Acts, chapter 1133, section 2, subsection 2,
2 paragraph 0b.

3 c. Of the funds appropriated in this subsection, ~~\$663,944~~
4 \$1,327,887 shall be used to continue the department's
5 initiative to provide for adequate developmental surveillance
6 and screening during a child's first five years statewide. The
7 funds shall be used first to fully fund the current sites to
8 ensure that the sites are fully operational, with the remaining
9 funds to be used for expansion to additional sites. The full
10 implementation and expansion shall include enhancing the scope
11 of the program through collaboration with the child health
12 specialty clinics to promote healthy child development through
13 early identification and response to both biomedical and social
14 determinants of healthy development; by developing child
15 health metrics to inform practice, document long-term health
16 impacts and savings, and provide for continuous improvement
17 through training, education, and evaluation; and by providing
18 for practitioner consultation particularly for children with
19 behavioral conditions and needs. The department of public
20 health shall also collaborate with the Iowa Medicaid enterprise
21 and the child health specialty clinics to integrate the
22 activities of the first five initiative into the establishment
23 of patient-centered medical homes, community utilities,
24 accountable care organizations, and other integrated care
25 models developed to improve health quality and population
26 health while reducing health care costs. To the maximum extent
27 possible, funding allocated in this paragraph shall be utilized
28 as matching funds for medical assistance program reimbursement.

29 d. Of the funds appropriated in this subsection, ~~\$15,799~~
30 \$74,640 shall be distributed to a statewide dental carrier to
31 provide funds to continue the donated dental services program
32 patterned after the projects developed by the lifeline network
33 to provide dental services to indigent elderly and disabled
34 individuals.

35 e. Of the funds appropriated in this subsection, ~~\$55,998~~



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1 \$111,995 shall be used for childhood obesity prevention.

2 f. Of the funds appropriated in this subsection, ~~\$81,384~~
3 \$137,768 shall be used to provide audiological services and
4 hearing aids for children. The department may enter into a
5 contract to administer this paragraph.

6 g. Of the funds appropriated in this subsection, ~~\$12,500~~
7 \$25,000 is transferred to the university of Iowa college of
8 dentistry for provision of primary dental services to children.
9 State funds shall be matched on a dollar-for-dollar basis.
10 The university of Iowa college of dentistry shall coordinate
11 efforts with the department of public health, bureau of
12 oral and health delivery systems, to provide dental care to
13 underserved populations throughout the state.

14 h. Of the funds appropriated in this subsection, ~~\$25,000~~
15 \$50,000 shall be used to address youth suicide prevention.

16 i. The university of Iowa college of dentistry shall
17 develop and submit a proposal by December 15, 2014, to the
18 individuals identified in this Act for submission of reports
19 and to the chairpersons and ranking members of the joint
20 appropriations subcommittee on education to offer a residency
21 program in geriatric dentistry that prepares dentists with
22 the specific skills needed to treat geriatric patients and
23 provides incentives for the participants to remain in the
24 state to practice dentistry upon completion of the program.
25 The proposal shall include at a minimum, the curriculum to
26 be utilized, the number of residency positions to be made
27 available, the incentives for participants to practice
28 dentistry in the state upon completion of the residency, the
29 projected cost of the program, and any potential funding
30 sources.

31 3. CHRONIC CONDITIONS

32 For serving individuals identified as having chronic
33 conditions or special health care needs, and for not more than
34 the following full-time equivalent positions:

35 \$ ~~2,540,346~~

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1 5,040,692
2 FTEs 6.00
3 a. Of the funds appropriated in this subsection, ~~\$79,966~~
4 \$159,932 shall be used for grants to individual patients
5 who have phenylketonuria (PKU) to assist with the costs of
6 necessary special foods.
7 b. Of the funds appropriated in this subsection, ~~\$445,822~~
8 \$891,644 shall be used for the brain injury services program
9 pursuant to section 135.22B, including for continuation of the
10 contracts for resource facilitator services in accordance with
11 section 135.22B, subsection 9, and to enhance brain injury
12 training and recruitment of service providers on a statewide
13 basis. Of the amount allocated in this paragraph, ~~\$47,500~~
14 \$95,000 shall be used to fund one full-time equivalent position
15 to serve as the state brain injury ~~service~~ services program
16 manager.
17 c. Of the funds appropriated in this subsection, ~~\$273,991~~
18 \$547,982 shall be used as additional funding to leverage
19 federal funding through the federal Ryan White Care Act, Tit.
20 II, AIDS drug assistance program supplemental drug treatment
21 grants.
22 d. Of the funds appropriated in this subsection, ~~\$49,912~~
23 \$99,823 shall be used for the public purpose of continuing to
24 contract with an existing national-affiliated organization
25 to provide education, client-centered programs, and client
26 and family support for people living with epilepsy and their
27 families.
28 e. Of the funds appropriated in this subsection, ~~\$392,557~~
29 \$785,114 shall be used for child health specialty clinics.
30 f. Of the funds appropriated in this subsection,
31 ~~\$200,000~~ \$400,000 shall be used by the regional autism
32 assistance program established pursuant to section 256.35,
33 and administered by the child health specialty clinic located
34 at the university of Iowa hospitals and clinics. The funds
35 shall be used to enhance interagency collaboration and

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1 coordination of educational, medical, and other human services
2 for persons with autism, their families, and providers of
3 services, including delivering regionalized services of care
4 coordination, family navigation, and integration of services
5 through the statewide system of regional child health specialty
6 clinics and fulfilling other requirements as specified in
7 chapter 225D, ~~creating the autism support program, as enacted~~
8 ~~in this Act.~~ The university of Iowa shall not receive funds
9 allocated under this paragraph for indirect costs associated
10 with the regional autism assistance program.

11 g. Of the funds appropriated in this subsection, ~~\$285,497~~
12 \$570,993 shall be used for the comprehensive cancer control
13 program to reduce the burden of cancer in Iowa through
14 prevention, early detection, effective treatment, and ensuring
15 quality of life. Of the funds allocated in this lettered
16 paragraph, ~~\$75,000~~ \$150,000 shall be used to support a melanoma
17 research symposium, a melanoma biorepository and registry,
18 basic and translational melanoma research, and clinical trials.

19 h. Of the funds appropriated in this subsection, ~~\$63,225~~
20 \$126,450 shall be used for cervical and colon cancer screening,
21 and ~~\$250,000~~ \$500,000 shall be used to enhance the capacity
22 of the cervical cancer screening program to include provision
23 of recommended prevention and early detection measures to a
24 broader range of low-income women.

25 i. Of the funds appropriated in this subsection, ~~\$263,348~~
26 \$526,695 shall be used for the center for congenital and
27 inherited disorders.

28 j. Of the funds appropriated in this subsection, ~~\$64,706~~
29 \$129,411 shall be used for the prescription drug donation
30 repository program created in chapter 135M.

31 k. Of the funds appropriated in this subsection, ~~\$107,632~~
32 \$175,263 shall be used for the costs of the medical home system
33 advisory council established pursuant to section 135.159
34 including incorporation of the development and implementation
35 of the prevention and chronic care management state initiative.

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1 4. COMMUNITY CAPACITY

2 For strengthening the health care delivery system at the
3 local level, and for not more than the following full-time
4 equivalent positions:

5	\$	4,281,309
6		<u>9,284,436</u>
7	FTEs	18.25

8 a. Of the funds appropriated in this subsection, ~~\$49,707~~
9 \$99,414 is allocated for continuation of the child vision
10 screening program implemented through the university of Iowa
11 hospitals and clinics in collaboration with early childhood
12 Iowa areas. The program shall submit a report to the
13 individuals identified in this Act for submission of reports
14 regarding the use of funds allocated under this paragraph
15 "a". The report shall include the objectives and results for
16 the program year including the target population and how the
17 funds allocated assisted the program in meeting the objectives;
18 the number, age, and location within the state of individuals
19 served; the type of services provided to the individuals
20 served; the distribution of funds based on service provided;
21 and the continuing needs of the program.

22 b. Of the funds appropriated in this subsection, ~~\$55,328~~
23 \$110,656 is allocated for continuation of an initiative
24 implemented at the university of Iowa and ~~\$49,952~~ \$99,904
25 is allocated for continuation of an initiative at the state
26 mental health institute at Cherokee to expand and improve the
27 workforce engaged in mental health treatment and services.
28 The initiatives shall receive input from the university of
29 Iowa, the department of human services, the department of
30 public health, and the mental health and disability services
31 commission to address the focus of the initiatives.

32 c. Of the funds appropriated in this subsection, ~~\$582,314~~
33 \$1,164,628 shall be used for essential public health services
34 that promote healthy aging throughout the lifespan, contracted
35 through a formula for local boards of health, to enhance health

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1 promotion and disease prevention services.

2 d. Of the funds appropriated in this section, ~~\$49,643~~
3 \$99,286 shall be deposited in the governmental public health
4 system fund created in section 135A.8 to be used for the
5 purposes of the fund.

6 e. Of the funds appropriated in this subsection, ~~\$52,724~~
7 \$105,448 shall be used to continue to address the shortage of
8 mental health professionals in the state.

9 f. Of the funds appropriated in this subsection, ~~\$25,000~~
10 \$50,000 shall be used for a grant to a statewide association
11 of psychologists that is affiliated with the American
12 psychological association to be used for continuation of a
13 program to rotate intern psychologists in placements in urban
14 and rural mental health professional shortage areas, as defined
15 in section 135.180.

16 g. Of the funds appropriated in this subsection, the
17 following amounts shall be allocated to the Iowa collaborative
18 safety net provider network established pursuant to section
19 135.153 to be used for the purposes designated. The following
20 amounts allocated under this lettered paragraph shall be
21 distributed to the specified provider and shall not be reduced
22 for administrative or other costs prior to distribution:

23 (1) For distribution to the Iowa primary care association
24 for statewide coordination of the Iowa collaborative safety net
25 provider network:

26 \$ ~~72,893~~
27 145,785

28 (2) For distribution to the Iowa primary care association
29 to be used to continue a training program for sexual assault
30 response team (SART) members, including representatives of
31 law enforcement, victim advocates, prosecutors, and certified
32 medical personnel:

33 \$ ~~25,000~~
34 50,000

35 (3) For distribution to federally qualified health centers

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1 for necessary infrastructure, statewide coordination, provider
2 recruitment, service delivery, and provision of assistance to
3 patients in securing a medical home inclusive of oral health
4 care:
5 \$ 37,500
6 75,000
7 (4) For distribution to the local boards of health that
8 provide direct services for pilot programs in three counties to
9 assist patients in securing a medical home inclusive of oral
10 health care:
11 \$ 38,577
12 77,153
13 (5) For distribution to maternal and child health centers
14 for pilot programs in three service areas to assist patients in
15 securing a medical home inclusive of oral health care:
16 \$ 47,563
17 95,126
18 (6) For distribution to free clinics for necessary
19 infrastructure, statewide coordination, provider recruitment,
20 service delivery, and provision of assistance to patients in
21 securing a medical home inclusive of oral health care:
22 \$ 174,161
23 348,322
24 (7) For distribution to rural health clinics for necessary
25 infrastructure, statewide coordination, provider recruitment,
26 service delivery, and provision of assistance to patients in
27 securing a medical home inclusive of oral health care:
28 \$ 70,772
29 141,544
30 ~~(8) For continuation of the safety net provider patient~~
31 ~~access to a specialty health care initiative as described in~~
32 ~~2007 Iowa Acts, chapter 218, section 109:~~
33 ~~..... \$ 189,237~~
34 (9) For continuation of the pharmaceutical infrastructure
35 for safety net providers as described in 2007 Iowa Acts,

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1 chapter 218, section 108:

2 \$ 206,708
3 413,415

4 The Iowa collaborative safety net provider network may
5 continue to distribute funds allocated pursuant to this
6 lettered paragraph through existing contracts or renewal of
7 existing contracts.

8 ~~The Iowa collaborative safety net provider network may~~
9 ~~continue to distribute funds allocated pursuant to this~~
10 ~~lettered paragraph through existing contracts or renewal of~~
11 ~~existing contracts.~~

12 h. Of the funds appropriated in this subsection, ~~\$87,950~~
13 \$175,900 shall be used for continuation of the work of the
14 direct care worker advisory council established pursuant to
15 2008 Iowa Acts, chapter 1188, section 69, in implementing the
16 recommendations in the final report submitted by the advisory
17 council to the governor and the general assembly in March 2012.

18 i. (1) Of the funds appropriated in this subsection,
19 ~~\$89,438~~ \$178,875 shall be used for allocation to an independent
20 statewide direct care worker organization under continuation
21 of the contract in effect during the fiscal year ending June
22 30, ~~2013~~ 2014, with terms determined by the director of public
23 health relating to education, outreach, leadership development,
24 mentoring, and other initiatives intended to enhance the
25 recruitment and retention of direct care workers in health care
26 and long-term care settings.

27 (2) Of the funds appropriated in this subsection, ~~\$37,500~~
28 \$75,000 shall be used to provide scholarships or other forms of
29 subsidization for direct care worker educational conferences,
30 training, or outreach activities.

31 j. Of the funds appropriated in this subsection, the
32 department may use up to ~~\$29,088~~ \$58,175 for up to one
33 full-time equivalent position to administer the volunteer
34 health care provider program pursuant to section 135.24.

35 k. Of the funds appropriated in this subsection, ~~\$24,854~~

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1 \$50,000 shall be used for a matching dental education loan
2 repayment program to be allocated to a dental nonprofit health
3 service corporation to develop the criteria and implement the
4 loan repayment program.

5 1. Of the funds appropriated in this subsection, ~~\$52,912~~
6 \$105,823 is transferred to the college student aid commission
7 for deposit in the rural Iowa primary care trust fund created
8 in section 261.113 to be used for the purposes of the fund.

9 m. Of the funds appropriated in this subsection, ~~\$75,000~~
10 \$150,000 shall be used for the purposes of the Iowa donor
11 registry as specified in section 142C.18.

12 n. Of the funds appropriated in this subsection, ~~\$50,000~~
13 \$100,000 shall be used for continuation of a grant to a
14 nationally affiliated volunteer eye organization that has an
15 established program for children and adults and that is solely
16 dedicated to preserving sight and preventing blindness through
17 education, nationally certified vision screening and training,
18 and community and patient service programs. The organization
19 shall submit a report to the individuals identified in this
20 Act for submission of reports regarding the use of funds
21 allocated under this paragraph "n". The report shall include
22 the objectives and results for the program year including
23 the target population and how the funds allocated assisted
24 the program in meeting the objectives; the number, age, and
25 location within the state of individuals served; the type of
26 services provided to the individuals served; the distribution
27 of funds based on services provided; and the continuing needs
28 of the program.

29 o. Of the funds appropriated in this subsection, ~~\$12,500~~
30 \$25,000 shall be used for the ~~establishment~~ continuation of a
31 wellness council under the direction of the director of public
32 health to increase support for wellness activities in the
33 state.

34 p. Of the funds appropriated in this section, ~~\$579,075~~
35 \$1,158,150 is allocated to the Iowa collaborative safety net

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1 provider network established pursuant to section 135.153 to
2 be used for the continued development and implementation of a
3 statewide regionally based network to provide an integrated
4 approach to health care delivery through care coordination
5 that supports primary care providers and links patients with
6 community resources necessary to empower patients in addressing
7 biomedical and social determinants of health to improve health
8 outcomes. The Iowa collaborative safety net provider network
9 shall work in conjunction with the department of human services
10 to align the integrated network with the health care delivery
11 system model developed under the state innovation models
12 initiative grant. The Iowa collaborative safety net provider
13 network shall submit a progress report to the individuals
14 designated in this Act for submission of reports by December
15 31, 2014, including progress in developing and implementing the
16 network, how the funds were distributed and used in developing
17 and implementing the network, and the remaining needs in
18 developing and implementing the network.

19 q. Of the funds appropriated in this subsection, ~~\$1,000,000~~
20 \$3,000,000 shall be deposited in the medical residency training
21 account created in section 135.175, subsection 5, paragraph
22 "a", and is appropriated from the account to the department
23 of public health to be used for the purposes of the medical
24 residency training state matching grants program as specified
25 in section 135.176. However, notwithstanding any provision
26 to the contrary in section 135.176, priority in the awarding
27 of grants shall be given to the development of new medical
28 residency positions, psychiatric residency positions, and
29 family practice residency positions.

30 r. Of the funds appropriated in this section, ~~\$25,000~~
31 \$50,000 shall be distributed to a statewide nonprofit
32 organization to be used for the public purpose of supporting
33 a partnership between medical providers and parents through
34 community health centers to promote reading and encourage
35 literacy skills so children enter school prepared for success



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1 in reading.

2 s. The department shall adopt rules pursuant to chapter 17A
3 to include physical therapists as primary care professionals
4 and to include physical therapy as a primary health service for
5 the purposes of the PRIMECARRE endeavor under section 135.107.

6 t. Of the funds appropriated in this subsection, \$100,000
7 shall be transferred to the university of Iowa hospitals
8 and clinics to implement a collaborative care model between
9 psychiatry and primary care practices that will improve mental
10 health care in Iowa. The university of Iowa hospitals and
11 clinics shall submit a report by December 15, 2014, to the
12 individuals identified in this Act for submission of reports on
13 the progress of implementation of the collaborative model.

14 5. HEALTHY AGING

15 To provide public health services that reduce risks and
16 invest in promoting and protecting good health over the
17 course of a lifetime with a priority given to older Iowans and
18 vulnerable populations:

19 \$ ~~3,648,571~~
20 7,297,142

21 6. ENVIRONMENTAL HAZARDS

22 For reducing the public's exposure to hazards in the
23 environment, primarily chemical hazards, and for not more than
24 the following full-time equivalent positions:

25 \$ 401,935
26 803,870
27 FTEs 4.00

28 Of the funds appropriated in this subsection, ~~\$268,875~~
29 \$537,750 shall be used for childhood lead poisoning provisions.

30 7. INFECTIOUS DISEASES

31 For reducing the incidence and prevalence of communicable
32 diseases, and for not more than the following full-time
33 equivalent positions:

34 \$ ~~667,578~~
35 1,335,155

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1 FTEs 4.00
2 8. PUBLIC PROTECTION
3 For protecting the health and safety of the public through
4 establishing standards and enforcing regulations, and for not
5 more than the following full-time equivalent positions:
6 \$ ~~1,639,386~~
7 3,420,027
8 FTEs 131.00
9 a. Of the funds appropriated in this subsection, not more
10 than ~~\$227,350~~ \$454,700 shall be credited to the emergency
11 medical services fund created in section 135.25. Moneys in
12 the emergency medical services fund are appropriated to the
13 department to be used for the purposes of the fund.
14 b. Of the funds appropriated in this subsection, ~~\$101,516~~
15 \$203,032 shall be used for sexual violence prevention
16 programming through a statewide organization representing
17 programs serving victims of sexual violence through the
18 department's sexual violence prevention program. The amount
19 allocated in this lettered paragraph shall not be used to
20 supplant funding administered for other sexual violence
21 prevention or victims assistance programs.
22 c. Of the funds appropriated in this subsection, ~~\$299,376~~
23 \$598,751 shall be used for the state poison control center.
24 At such time as the department of human services receives
25 approval from the centers for Medicare and Medicaid services
26 of the United States department of health and human services
27 to implement a new health services initiative under the
28 federal Children's Health Insurance Program Reauthorization
29 Act of 2009, Pub. L. No. 111-3, to provide funding for the
30 state poison control center as directed in this 2014 Act,
31 and notifies the department of public health, the department
32 of public health shall transfer from the allocation made in
33 this paragraph "c", an amount sufficient to provide the state
34 matching funds necessary to draw down the maximum federal
35 matching funds available for that purpose.



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1 d. Of the funds appropriated in this subsection, \$50,000
2 shall be used for community fluoridation education.

3 9. RESOURCE MANAGEMENT

4 For establishing and sustaining the overall ability of the
5 department to deliver services to the public, and for not more
6 than the following full-time equivalent positions:

7	\$	402,027
8		<u>855,072</u>
9	FTEs	5.00

10 The university of Iowa hospitals and clinics under the
11 control of the state board of regents shall not receive
12 indirect costs from the funds appropriated in this section.
13 The university of Iowa hospitals and clinics billings to the
14 department shall be on at least a quarterly basis.

15 DIVISION IV
16 VETERANS

17 Sec. 4. 2013 Iowa Acts, chapter 138, section 134, is amended
18 to read as follows:

19 SEC. 134. DEPARTMENT OF VETERANS AFFAIRS. There is
20 appropriated from the general fund of the state to the
21 department of veterans affairs for the fiscal year beginning
22 July 1, 2014, and ending June 30, 2015, the following amounts,
23 or so much thereof as is necessary, to be used for the purposes
24 designated:

25 1. DEPARTMENT OF VETERANS AFFAIRS ADMINISTRATION

26 For salaries, support, maintenance, and miscellaneous
27 purposes, and for not more than the following full-time
28 equivalent positions:

29	\$	546,754
30		<u>1,095,951</u>
31	FTEs	13.00

32 2. IOWA VETERANS HOME

33 For salaries, support, maintenance, and miscellaneous
34 purposes:

35	\$	<u>3,762,857</u>
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1 7,594,996
2 a. The Iowa veterans home billings involving the department
3 of human services shall be submitted to the department on at
4 least a monthly basis.
5 b. If there is a change in the employer of employees
6 providing services at the Iowa veterans home under a collective
7 bargaining agreement, such employees and the agreement shall
8 be continued by the successor employer as though there had not
9 been a change in employer.
10 c. Within available resources and in conformance with
11 associated state and federal program eligibility requirements,
12 the Iowa veterans home may implement measures to provide
13 financial assistance to or on behalf of veterans or their
14 spouses who are participating in the community reentry program.
15 e. The Iowa veterans home expenditure report shall be
16 submitted monthly to the legislative services agency.
17 3. HOME OWNERSHIP ASSISTANCE PROGRAM
18 For transfer to the Iowa finance authority for the
19 continuation of the home ownership assistance program for
20 persons who are or were eligible members of the armed forces of
21 the United States, pursuant to section 16.54:
22 \$ ~~800,000~~
23 2,500,000
24 Sec. 5. 2013 Iowa Acts, chapter 138, section 135, is amended
25 to read as follows:
26 SEC. 135. LIMITATION OF COUNTY COMMISSIONS OF VETERAN
27 AFFAIRS FUND STANDING APPROPRIATIONS. Notwithstanding the
28 standing appropriation in the following designated section for
29 the fiscal year beginning July 1, 2014, and ending June 30,
30 2015, the ~~amounts~~ amount appropriated from the general fund of
31 the state pursuant to that section for the following designated
32 purposes shall not exceed the following amount:
33 For the county commissions of veteran affairs fund under
34 section 35A.16:
35 \$ ~~495,000~~



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1 990,000
2 DIVISION V
3 DEPARTMENT OF HUMAN SERVICES
4 Sec. 6. 2013 Iowa Acts, chapter 138, section 136, is amended
5 to read as follows:
6 SEC. 136. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK
7 GRANT. There is appropriated from the fund created in section
8 8.41 to the department of human services for the fiscal year
9 beginning July 1, 2014, and ending June 30, 2015, from moneys
10 received under the federal temporary assistance for needy
11 families (TANF) block grant pursuant to the federal Personal
12 Responsibility and Work Opportunity Reconciliation Act of 1996,
13 Pub. L. No. 104-193, and successor legislation, the following
14 amounts, or so much thereof as is necessary, to be used for the
15 purposes designated:
16 1. To be credited to the family investment program account
17 and used for assistance under the family investment program
18 under chapter 239B:
19 \$ 9,058,474
20 9,879,488
21 2. To be credited to the family investment program account
22 and used for the job opportunities and basic skills (JOBS)
23 program and implementing family investment agreements in
24 accordance with chapter 239B:
25 \$ 5,933,220
26 11,091,911
27 3. To be used for the family development and
28 self-sufficiency grant program in accordance with section
29 216A.107:
30 \$ 1,449,490
31 2,898,980
32 Notwithstanding section 8.33, moneys appropriated in this
33 subsection that remain unencumbered or unobligated at the close
34 of the fiscal year shall not revert but shall remain available
35 for expenditure for the purposes designated until the close of



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1 the succeeding fiscal year. However, unless such moneys are
2 encumbered or obligated on or before September 30, 2015, the
3 moneys shall revert.

4 4. For field operations:

5 \$ ~~15,648,116~~
6 31,296,232

7 5. For general administration:

8 \$ ~~1,872,000~~
9 3,744,000

10 6. For state child care assistance:

11 \$ ~~12,866,344~~
12 34,947,110

13 a. The Of the funds appropriated in this subsection are,
14 \$26,347,110 is transferred to the child care and development
15 block grant appropriation made by the Eighty-fifth General
16 Assembly, 2013 Session, in 2013 Iowa Acts, chapter 136, section
17 14 for the federal fiscal year beginning October 1, 2014, and
18 ending September 30, 2015. Of this amount, \$100,000 \$200,000
19 shall be used for provision of educational opportunities to
20 registered child care home providers in order to improve
21 services and programs offered by this category of providers
22 and to increase the number of providers. The department may
23 contract with institutions of higher education or child care
24 resource and referral centers to provide the educational
25 opportunities. Allowable administrative costs under the
26 contracts shall not exceed 5 percent. The application for a
27 grant shall not exceed two pages in length.

28 b. Any funds appropriated in this subsection remaining
29 unallocated shall be used for state child care assistance
30 payments for individuals enrolled in the family investment
31 program who are employed.

32 7. For distribution to counties and regions through the
33 property tax relief fund for mental health and disability
34 services as provided in an appropriation made for this purpose:

35 \$ ~~2,447,026~~

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1 4,894,052
2 8. For child and family services:
3 \$ ~~16,042,215~~
4 32,084,430
5 9. For child abuse prevention grants:
6 \$ ~~62,500~~
7 125,000
8 10. For pregnancy prevention grants on the condition that
9 family planning services are funded:
10 \$ ~~965,034~~
11 1,930,067
12 Pregnancy prevention grants shall be awarded to programs
13 in existence on or before July 1, 2014, if the programs have
14 demonstrated positive outcomes. Grants shall be awarded to
15 pregnancy prevention programs which are developed after July
16 1, 2014, if the programs are based on existing models that
17 have demonstrated positive outcomes. Grants shall comply with
18 the requirements provided in 1997 Iowa Acts, chapter 208,
19 section 14, subsections 1 and 2, including the requirement that
20 grant programs must emphasize sexual abstinence. Priority in
21 the awarding of grants shall be given to programs that serve
22 areas of the state which demonstrate the highest percentage of
23 unplanned pregnancies of females of childbearing age within the
24 geographic area to be served by the grant.
25 11. For technology needs and other resources necessary
26 to meet federal welfare reform reporting, tracking, and case
27 management requirements:
28 \$ ~~518,593~~
29 1,037,186
30 The department shall transfer TANF block grant funding
31 appropriated and allocated in this subsection to the child care
32 and development block grant appropriation in accordance with
33 federal law as necessary to comply with the provisions of this
34 subsection.
35 12. For the family investment program share of the costs to

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1 continue to develop and maintain a new, integrated eligibility
2 determination system:

3 \$ ~~2,525,226~~
4 6,549,549

5 13. a. Notwithstanding any provision to the contrary,
6 including but not limited to requirements in section 8.41 or
7 provisions in 2013 or 2014 Iowa Acts regarding the receipt and
8 appropriation of federal block grants, federal funds from the
9 temporary assistance for needy families block grant received
10 by the state not otherwise appropriated in this section and
11 remaining available for the fiscal year beginning July 1, 2014,
12 are appropriated to the department of human services to the
13 extent as may be necessary to be used in the following priority
14 order: the family investment program, for state child care
15 assistance program payments for individuals enrolled in the
16 family investment program who are employed, and for the family
17 investment program share of costs to develop and maintain a
18 new, integrated eligibility determination system. The federal
19 funds appropriated in this paragraph "a" shall be expended only
20 after all other funds appropriated in subsection 1 for the
21 assistance under the family investment program, in subsection 6
22 for child care assistance, or in subsection 12 for the family
23 investment program share of the costs to continue to develop
24 and maintain a new, integrated eligibility determination
25 system, as applicable, have been expended.

26 b. The department shall, on a quarterly basis, advise the
27 legislative services agency and department of management of
28 the amount of funds appropriated in this subsection that was
29 expended in the prior quarter.

30 14. Of the amounts appropriated in this section, ~~\$6,481,004~~
31 \$12,962,008 for the fiscal year beginning July 1, 2014, is
32 transferred to the appropriation of the federal social services
33 block grant made to the department of human services for that
34 fiscal year.

35 15. For continuation of the program providing categorical

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1 eligibility for the food assistance program as specified for
2 the program in the section of this division of this 2014 Act
3 relating to the family investment program account:

4 \$ ~~12,500~~
5 25,000

6 16. The department may transfer funds allocated in this
7 section to the appropriations made in this division of this Act
8 for the same fiscal year for general administration and field
9 operations for resources necessary to implement and operate the
10 services referred to in this section and those funded in the
11 appropriation made in this division of this Act for the same
12 fiscal year for the family investment program from the general
13 fund of the state.

14 Sec. 7. 2013 Iowa Acts, chapter 138, section 137, is amended
15 to read as follows:

16 SEC. 137. FAMILY INVESTMENT PROGRAM ACCOUNT.

17 1. Moneys credited to the family investment program (FIP)
18 account for the fiscal year beginning July 1, 2014, and
19 ending June 30, 2015, shall be used to provide assistance in
20 accordance with chapter 239B.

21 2. The department may use a portion of the moneys credited
22 to the FIP account under this section as necessary for
23 salaries, support, maintenance, and miscellaneous purposes.

24 3. The department may transfer funds allocated in this
25 section to the appropriations made in this division of this Act
26 for the same fiscal year for general administration and field
27 operations for resources necessary to implement and operate the
28 services referred to in this section and those funded in the
29 appropriation made in this division of this Act for the same
30 fiscal year for the family investment program from the general
31 fund of the state.

32 4. Moneys appropriated in this division of this Act and
33 credited to the FIP account for the fiscal year beginning July
34 1, 2014, and ending June 30, 2015, are allocated as follows:

35 a. To be retained by the department of human services to

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1 be used for coordinating with the department of human rights
2 to more effectively serve participants in FIP and other shared
3 clients and to meet federal reporting requirements under the
4 federal temporary assistance for needy families block grant:
5 \$ ~~10,000~~
6 20,000
7 b. To the department of human rights for staffing,
8 administration, and implementation of the family development
9 and self-sufficiency grant program in accordance with section
10 216A.107:
11 \$ ~~3,021,417~~
12 6,042,834
13 (1) Of the funds allocated for the family development and
14 self-sufficiency grant program in this lettered paragraph,
15 not more than 5 percent of the funds shall be used for the
16 administration of the grant program.
17 (2) The department of human rights may continue to implement
18 the family development and self-sufficiency grant program
19 statewide during fiscal year 2014-2015.
20 c. For the diversion subaccount of the FIP account:
21 \$ ~~849,200~~
22 815,000
23 A portion of the moneys allocated for the subaccount may
24 be used for field operations, salaries, data management
25 system development, and implementation costs and support
26 deemed necessary by the director of human services in order to
27 administer the FIP diversion program. To the extent moneys
28 allocated in this lettered paragraph are not deemed by the
29 department to be necessary to support diversion activities,
30 such moneys may be used for other efforts intended to increase
31 engagement by family investment program participants in work,
32 education, or training activities.
33 d. For the food assistance employment and training program:
34 \$ ~~33,294~~
35 66,588

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1 (1) The department shall apply the federal supplemental
2 nutrition assistance program (SNAP) employment and training
3 state plan in order to maximize to the fullest extent permitted
4 by federal law the use of the 50 percent federal reimbursement
5 provisions for the claiming of allowable federal reimbursement
6 funds from the United States department of agriculture
7 pursuant to the federal SNAP employment and training program
8 for providing education, employment, and training services
9 for eligible food assistance program participants, including
10 but not limited to related dependent care and transportation
11 expenses.

12 (2) The department shall continue the categorical federal
13 food assistance program eligibility at 160 percent of the
14 federal poverty level and continue to eliminate the asset test
15 from eligibility requirements, consistent with federal food
16 assistance program requirements. The department shall include
17 as many food assistance households as is allowed by federal
18 law. The eligibility provisions shall conform to all federal
19 requirements including requirements addressing individuals who
20 are incarcerated or otherwise ineligible.

21 e. For the JOBS program:

22 \$ ~~9,845,408~~
23 18,494,131

24 5. Of the child support collections assigned under FIP,
25 an amount equal to the federal share of support collections
26 shall be credited to the child support recovery appropriation
27 made in this division of this Act. Of the remainder of the
28 assigned child support collections received by the child
29 support recovery unit, a portion shall be credited to the FIP
30 account, a portion may be used to increase recoveries, and a
31 portion may be used to sustain cash flow in the child support
32 payments account. If as a consequence of the appropriations
33 and allocations made in this section the resulting amounts
34 are insufficient to sustain cash assistance payments and meet
35 federal maintenance of effort requirements, the department



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1 shall seek supplemental funding. If child support collections
2 assigned under FIP are greater than estimated or are otherwise
3 determined not to be required for maintenance of effort, the
4 state share of either amount may be transferred to or retained
5 in the child support payment account.

6 6. The department may adopt emergency rules for the family
7 investment, JOBS, food assistance, and medical assistance
8 programs if necessary to comply with federal requirements.

9 Sec. 8. 2013 Iowa Acts, chapter 138, section 138, is amended
10 to read as follows:

11 SEC. 138. FAMILY INVESTMENT PROGRAM GENERAL FUND. There
12 is appropriated from the general fund of the state to the
13 department of human services for the fiscal year beginning July
14 1, 2014, and ending June 30, 2015, the following amount, or
15 so much thereof as is necessary, to be used for the purpose
16 designated:

17 To be credited to the family investment program (FIP)
18 account and used for family investment program assistance under
19 chapter 239B:

20 \$ ~~24,218,607~~
21 48,503,875

22 1. Of the funds appropriated in this section, ~~\$3,912,189~~
23 \$7,402,220 is allocated for the JOBS program.

24 2. Of the funds appropriated in this section, ~~\$1,581,927~~
25 \$3,163,854 is allocated for the family development and
26 self-sufficiency grant program.

27 3. Notwithstanding section 8.39, for the fiscal year
28 beginning July 1, 2014, if necessary to meet federal
29 maintenance of effort requirements or to transfer federal
30 temporary assistance for needy families block grant funding
31 to be used for purposes of the federal social services block
32 grant or to meet cash flow needs resulting from delays in
33 receiving federal funding or to implement, in accordance with
34 this division of this Act, activities currently funded with
35 juvenile court services, county, or community moneys and state

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1 moneys used in combination with such moneys, the department
2 of human services may transfer funds within or between any
3 of the appropriations made in this division of this Act and
4 appropriations in law for the federal social services block
5 grant to the department for the following purposes, provided
6 that the combined amount of state and federal temporary
7 assistance for needy families block grant funding for each
8 appropriation remains the same before and after the transfer:

- 9 a. For the family investment program.
- 10 b. For child care assistance.
- 11 c. For child and family services.
- 12 d. For field operations.
- 13 e. For general administration.
- 14 f. For distribution to counties or regions for services to
15 persons with mental illness or an intellectual disability.

16 This subsection shall not be construed to prohibit the use
17 of existing state transfer authority for other purposes. The
18 department shall report any transfers made pursuant to this
19 subsection to the legislative services agency.

20 4. Of the funds appropriated in this section, ~~\$97,839~~
21 \$195,678 shall be used for continuation of a grant to an
22 Iowa-based nonprofit organization with a history of providing
23 tax preparation assistance to low-income Iowans in order to
24 expand the usage of the earned income tax credit. The purpose
25 of the grant is to supply this assistance to underserved areas
26 of the state.

27 5. Of the funds appropriated in this section, ~~\$20,000~~
28 \$40,000 shall be used for the continuation of an unfunded
29 pilot project, as defined in 441 IAC 100.1, relating to
30 parental obligations, in which the child support recovery
31 unit participates, to support the efforts of a nonprofit
32 organization committed to strengthening the community through
33 youth development, healthy living, and social responsibility in
34 a county with a population over 350,000. The funds allocated
35 in this subsection shall be used by the recipient organization

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1 to develop a larger community effort, through public and
2 private partnerships, to support a broad-based fatherhood
3 initiative that promotes payment of child support obligations,
4 improved family relationships, and full-time employment.

5 6. The department may transfer funds appropriated in this
6 section to the appropriations made in this division of this Act
7 for general administration and field operations as necessary
8 to administer this section and the overall family investment
9 program.

10 Sec. 9. 2013 Iowa Acts, chapter 138, section 139, is amended
11 to read as follows:

12 SEC. 139. CHILD SUPPORT RECOVERY. There is appropriated
13 from the general fund of the state to the department of human
14 services for the fiscal year beginning July 1, 2014, and ending
15 June 30, 2015, the following amount, or so much thereof as is
16 necessary, to be used for the purposes designated:

17 For child support recovery, including salaries, support,
18 maintenance, and miscellaneous purposes, and for not more than
19 the following full-time equivalent positions:

20	\$	7,086,885
21		<u>14,911,230</u>
22	FTEs	464.00

23 1. The department shall expend up to ~~\$12,165~~ \$24,329,
24 including federal financial participation, for the fiscal year
25 beginning July 1, 2014, for a child support public awareness
26 campaign. The department and the office of the attorney
27 general shall cooperate in continuation of the campaign. The
28 public awareness campaign shall emphasize, through a variety
29 of media activities, the importance of maximum involvement of
30 both parents in the lives of their children as well as the
31 importance of payment of child support obligations.

32 2. Federal access and visitation grant moneys shall be
33 issued directly to private not-for-profit agencies that provide
34 services designed to increase compliance with the child access
35 provisions of court orders, including but not limited to

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1 neutral visitation sites and mediation services.

2 3. The appropriation made to the department for child
3 support recovery may be used throughout the fiscal year in the
4 manner necessary for purposes of cash flow management, and for
5 cash flow management purposes the department may temporarily
6 draw more than the amount appropriated, provided the amount
7 appropriated is not exceeded at the close of the fiscal year.

8 4. With the exception of the funding amount specified, the
9 requirements established under 2001 Iowa Acts, chapter 191,
10 section 3, subsection 5, paragraph "c", subparagraph (3), shall
11 be applicable to parental obligation pilot projects for the
12 fiscal year beginning July 1, 2014, and ending June 30, 2015.
13 Notwithstanding 441 IAC 100.8, providing for termination of
14 rules relating to the pilot projects, the rules shall remain
15 in effect until June 30, 2015.

16 Sec. 10. 2013 Iowa Acts, chapter 138, section 140, is
17 amended to read as follows:

18 SEC. 140. HEALTH CARE TRUST FUND — MEDICAL ASSISTANCE —
19 ~~FY 2013-2014~~ 2014-2015. Any funds remaining in the health
20 care trust fund created in section 453A.35A for the fiscal
21 year beginning July 1, 2014, and ending June 30, 2015, are
22 appropriated to the department of human services to supplement
23 the medical assistance program appropriations made in this
24 division of this Act, for medical assistance reimbursement and
25 associated costs, including program administration and costs
26 associated with program implementation.

27 Sec. 11. 2013 Iowa Acts, chapter 138, section 142,
28 unnumbered paragraph 2, is amended to read as follows:

29 For medical assistance program reimbursement and associated
30 costs as specifically provided in the reimbursement
31 methodologies in effect on June 30, 2014, except as otherwise
32 expressly authorized by law, consistent with options under
33 federal law and regulations, and contingent upon receipt of
34 approval from the office of the governor of reimbursement for
35 each abortion performed under the program:

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1 \$ ~~1,143,810,311~~
2 1,248,017,014

3 Sec. 12. 2013 Iowa Acts, chapter 138, section 142,
4 subsection 18, paragraph a, is amended to read as follows:
5 a. The department shall continue to implement the cost
6 containment strategies for the medical assistance program in
7 the fiscal year beginning July 1, 2014, that were recommended
8 by the governor for the fiscal year beginning July 1, 2013, as
9 specified in this Act and may adopt emergency rules for such
10 implementation. The department shall not implement the cost
11 containment strategy that requires transition of the provision
12 of personal care under the consumer-directed attendant
13 care option to agency-provided personal care services while
14 retaining the consumer choice option for those individuals able
15 and desiring to self-direct services.

16 Sec. 13. 2013 Iowa Acts, chapter 138, section 142,
17 subsection 18, is amended by adding the following new
18 paragraph:

19 NEW PARAGRAPH. 0e. The department shall report the
20 implementation of any cost containment strategies under this
21 subsection to the individuals specified in this division of
22 this Act for submission of reports on a quarterly basis.

23 Sec. 14. 2013 Iowa Acts, chapter 138, section 142, is
24 amended by adding the following new subsections:

25 NEW SUBSECTION. 22. Of the funds appropriated in this
26 section, \$4,847,559 shall be used to implement reductions
27 in the waiting lists of all medical assistance home and
28 community-based services waivers. The funds shall be expended
29 to add an equal number of waiver waiting list slots to each of
30 the types of waivers.

31 NEW SUBSECTION. 23. The department of human services
32 shall perform a detailed analysis regarding the inclusion of
33 the Medicaid program pharmacy benefit in the managed care
34 organization plan for Medicaid members under the MEDIPASS
35 program and the Iowa health and wellness plan in order to

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1 enhance the value of the pharmacist-member interaction, utilize
2 the most appropriate and least costly treatment for the member,
3 and more fully integrate the pharmacy benefit into patient care
4 management. The analysis shall include but is not limited to
5 a review of the provider network to be used to ensure network
6 adequacy, patient choice, in-person patient care management,
7 and continuity of care; financial transparency requirements;
8 timely data sharing; formulary, preferred drug list, and prior
9 authorization requirements; provisions for continuing to
10 provide any therapeutic classes of drugs under the traditional
11 Medicaid program; standards for pharmacy reimbursement
12 rates including dispensing fees; the type of reimbursement
13 methodology to be used for the managed care organization to
14 provide the pharmacy benefit including but not limited to a
15 capitation or a shared savings model; outcomes, performance,
16 and reporting requirements; patient protections including but
17 not limited to appeals and grievance processes, emergency
18 refill requirements, and patient transition of care and
19 exceptions to policy provisions; the projected cost or savings;
20 and any federal approval necessary to provide the pharmacy
21 benefit to the specified members through a managed care
22 organization. The department shall report the results of its
23 analysis to the individuals identified in this division of this
24 Act for submission of reports by December 15, 2014, and shall
25 not implement the inclusion of the pharmacy benefit in the
26 managed care organization plan providing coverage to Medicaid
27 members under the MEDIPASS program and the Iowa health and
28 wellness plan without prior approval of the general assembly.

29 Sec. 15. 2013 Iowa Acts, chapter 138, section 143, is
30 amended to read as follows:

31 SEC. 143. MEDICAL CONTRACTS. There is appropriated from the
32 general fund of the state to the department of human services
33 for the fiscal year beginning July 1, ~~2013~~ 2014, and ending
34 June 30, ~~2014~~ 2015, the following amount, or so much thereof as
35 is necessary, to be used for the purpose designated:

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1 For medical contracts:
2 \$ ~~6,145,785~~
3 17,323,366
4 1. The department of inspections and appeals shall
5 provide all state matching funds for survey and certification
6 activities performed by the department of inspections
7 and appeals. The department of human services is solely
8 responsible for distributing the federal matching funds for
9 such activities.
10 2. Of the funds appropriated in this section, ~~\$25,000~~
11 \$50,000 shall be used for continuation of home and
12 community-based services waiver quality assurance programs,
13 including the review and streamlining of processes and policies
14 related to oversight and quality management to meet state and
15 federal requirements.
16 3. Of the amount appropriated in this section, up to
17 ~~\$100,000~~ \$200,000 may be transferred to the appropriation
18 for general administration in this division of this Act to
19 be used for additional full-time equivalent positions in the
20 development of key health initiatives such as cost containment,
21 development and oversight of managed care programs, and
22 development of health strategies targeted toward improved
23 quality and reduced costs in the Medicaid program.
24 4. Of the funds appropriated in this section, ~~\$500,000~~
25 \$1,000,000 shall be used for planning and development,
26 in cooperation with the department of public health, of a
27 phased-in program to provide a dental home for children.
28 5. Of the funds appropriated in this section, ~~\$37,500~~
29 \$75,000 shall be used for continued implementation of a uniform
30 cost report.
31 6. Of the funds appropriated in this section, ~~\$1,000,000~~
32 \$3,000,000 shall be used for the autism support program created
33 in chapter 225D, ~~as enacted in this Act.~~
34 7. Of the funds appropriated in this section, ~~\$49,895~~
35 \$99,790 shall be used for continued implementation of an



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1 electronic medical records system.

2 Sec. 16. 2013 Iowa Acts, chapter 138, section 144, is
3 amended to read as follows:

4 SEC. 144. STATE SUPPLEMENTARY ASSISTANCE.

5 1. There is appropriated from the general fund of the
6 state to the department of human services for the fiscal year
7 beginning July 1, 2014, and ending June 30, 2015, the following
8 amount, or so much thereof as is necessary, to be used for the
9 purpose designated:

10 For the state supplementary assistance program:

11 \$ ~~8,256,087~~
12 14,121,154

13 2. The department shall increase the personal needs
14 allowance for residents of residential care facilities by the
15 same percentage and at the same time as federal supplemental
16 security income and federal social security benefits are
17 increased due to a recognized increase in the cost of living.
18 The department may adopt emergency rules to implement this
19 subsection.

20 3. If during the fiscal year beginning July 1, 2014,
21 the department projects that state supplementary assistance
22 expenditures for a calendar year will not meet the federal
23 pass-through requirement specified in Tit. XVI of the federal
24 Social Security Act, section 1618, as codified in 42 U.S.C.
25 §1382g, the department may take actions including but not
26 limited to increasing the personal needs allowance for
27 residential care facility residents and making programmatic
28 adjustments or upward adjustments of the residential care
29 facility or in-home health-related care reimbursement rates
30 prescribed in this division of this Act to ensure that federal
31 requirements are met. In addition, the department may make
32 other programmatic and rate adjustments necessary to remain
33 within the amount appropriated in this section while ensuring
34 compliance with federal requirements. The department may adopt
35 emergency rules to implement the provisions of this subsection.

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1 Sec. 17. 2013 Iowa Acts, chapter 138, section 145, is
2 amended to read as follows:

3 SEC. 145. CHILDREN'S HEALTH INSURANCE PROGRAM.

4 1. There is appropriated from the general fund of the
5 state to the department of human services for the fiscal year
6 beginning July 1, 2014, and ending June 30, 2015, the following
7 amount, or so much thereof as is necessary, to be used for the
8 purpose designated:

9 For maintenance of the healthy and well kids in Iowa (hawk-i)
10 program pursuant to chapter 514I, including supplemental dental
11 services, for receipt of federal financial participation under
12 Tit. XXI of the federal Social Security Act, which creates the
13 children's health insurance program:

14 \$ ~~18,403,051~~
15 45,877,998

16 2. Of the funds appropriated in this section, ~~\$70,725~~
17 \$153,500 is allocated for continuation of the contract for
18 outreach with the department of public health.

19 3. The department of human services shall request approval
20 from the centers for Medicare and Medicaid services of the
21 United States department of health and human services to
22 utilize administrative funding under the federal Children's
23 Health Insurance Program Reauthorization Act of 2009, Pub.
24 L. No. 111-3, to provide the maximum federal matching funds
25 available to implement a new health services initiative as
26 provided under section 2105(a)(1)(D)(ii) of the federal Social
27 Security Act, to fund the state poison control center.

28 Sec. 18. 2013 Iowa Acts, chapter 138, section 146, is
29 amended to read as follows:

30 SEC. 146. CHILD CARE ASSISTANCE. There is appropriated
31 from the general fund of the state to the department of human
32 services for the fiscal year beginning July 1, 2014, and ending
33 June 30, 2015, the following amount, or so much thereof as is
34 necessary, to be used for the purpose designated:

35 For child care programs:

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1 \$ ~~31,354,897~~
2 45,622,828
3 1. Of the funds appropriated in this section, ~~\$27,377,595~~
4 \$37,903,401 shall be used for state child care assistance in
5 accordance with section 237A.13.
6 2. Nothing in this section shall be construed or is
7 intended as or shall imply a grant of entitlement for services
8 to persons who are eligible for assistance due to an income
9 level consistent with the waiting list requirements of section
10 237A.13. Any state obligation to provide services pursuant to
11 this section is limited to the extent of the funds appropriated
12 in this section.
13 3. Of the funds appropriated in this section, ~~\$216,227~~
14 \$432,453 is allocated for the statewide grant program for child
15 care resource and referral services under section 237A.26.
16 A list of the registered and licensed child care facilities
17 operating in the area served by a child care resource and
18 referral service shall be made available to the families
19 receiving state child care assistance in that area.
20 4. Of the funds appropriated in this section, ~~\$468,487~~
21 \$936,974 is allocated for child care quality improvement
22 initiatives including but not limited to the voluntary quality
23 rating system in accordance with section 237A.30.
24 ~~5. Of the funds appropriated in this section, \$67,589 shall~~
25 ~~be used to conduct fingerprint-based national criminal history~~
26 ~~record checks of home-based child care providers pursuant~~
27 ~~to section 237A.5, subsection 2, through the United States~~
28 ~~department of justice, federal bureau of investigation.~~
29 ~~6. Of the amount appropriated in this section, up to~~
30 ~~\$12,500 shall be used to continue to implement a searchable~~
31 ~~internet-based application as part of the consumer information~~
32 ~~made available under section 237A.25. The application shall~~
33 ~~provide a listing of the child care providers in this state~~
34 ~~that have received a rating under the voluntary quality rating~~
35 ~~system implemented pursuant to section 237A.30 and information~~

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~~1 on whether a provider specializes in child care for infants,
2 school-age children, children with special needs, or other
3 populations or provides any other specialized services to
4 support family needs.~~

5 7. Of the funds appropriated in this section, ~~\$3,175,000~~
6 \$6,350,000 shall be credited to the early childhood programs
7 grants account in the early childhood Iowa fund created
8 in section 256I.11. The moneys shall be distributed for
9 funding of community-based early childhood programs targeted
10 to children from birth through five years of age developed
11 by early childhood Iowa areas in accordance with approved
12 community plans as provided in section 256I.8.

13 8. The department may use any of the funds appropriated
14 in this section as a match to obtain federal funds for use in
15 expanding child care assistance and related programs. For
16 the purpose of expenditures of state and federal child care
17 funding, funds shall be considered obligated at the time
18 expenditures are projected or are allocated to the department's
19 service areas. Projections shall be based on current and
20 projected caseload growth, current and projected provider
21 rates, staffing requirements for eligibility determination
22 and management of program requirements including data systems
23 management, staffing requirements for administration of the
24 program, contractual and grant obligations and any transfers
25 to other state agencies, and obligations for decategorization
26 or innovation projects.

27 9. A portion of the state match for the federal child care
28 and development block grant shall be provided as necessary to
29 meet federal matching funds requirements through the state
30 general fund appropriation made for child development grants
31 and other programs for at-risk children in section 279.51.

32 10. If a uniform reduction ordered by the governor under
33 section 8.31 or other operation of law, transfer, or federal
34 funding reduction reduces the appropriation made in this
35 section for the fiscal year, the percentage reduction in the

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1 amount paid out to or on behalf of the families participating
2 in the state child care assistance program shall be equal to or
3 less than the percentage reduction made for any other purpose
4 payable from the appropriation made in this section and the
5 federal funding relating to it. The percentage reduction to
6 the other allocations made in this section shall be the same as
7 the uniform reduction ordered by the governor or the percentage
8 change of the federal funding reduction, as applicable.

9 If there is an unanticipated increase in federal funding
10 provided for state child care assistance, the entire amount
11 of the increase shall be used for state child care assistance
12 payments. If the appropriations made for purposes of the
13 state child care assistance program for the fiscal year are
14 determined to be insufficient, it is the intent of the general
15 assembly to appropriate sufficient funding for the fiscal year
16 in order to avoid establishment of waiting list requirements.

17 11. Notwithstanding section 8.33, moneys advanced for
18 purposes of the programs developed by early childhood Iowa
19 areas, advanced for purposes of wraparound child care, or
20 received from the federal appropriations made for the purposes
21 of this section that remain unencumbered or unobligated at the
22 close of the fiscal year shall not revert to any fund but shall
23 remain available for expenditure for the purposes designated
24 until the close of the succeeding fiscal year.

25 Sec. 19. 2013 Iowa Acts, chapter 138, section 147, is
26 amended to read as follows:

27 SEC. 147. JUVENILE INSTITUTIONS. There is appropriated
28 from the general fund of the state to the department of human
29 services for the fiscal year beginning July 1, 2014, and ending
30 June 30, 2015, the following amounts, or so much thereof as is
31 necessary, to be used for the purposes designated:

32 1. For ~~operation of~~ the costs of security, building and
33 grounds maintenance, utilities, salary, and support for the
34 facilities located at the Iowa juvenile home at Toledo and for
35 salaries, support, maintenance, and miscellaneous purposes, and

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1 for not more than the following full-time equivalent positions:
2 \$ ~~4,429,678~~
3 788,531
4 FTEs ~~114.00~~
5 15.00

6 2. For operation of the state training school at Eldora and
7 for salaries, support, maintenance, and miscellaneous purposes,
8 and for not more than the following full-time equivalent
9 positions:

10 \$ ~~5,628,485~~
11 11,500,098
12 FTEs 164.30

13 Of the funds appropriated in this subsection, ~~\$45,575~~
14 \$91,150 shall be used for distribution to licensed classroom
15 teachers at this and other institutions under the control of
16 the department of human services based upon the average student
17 yearly enrollment at each institution as determined by the
18 department.

19 3. A portion of the moneys appropriated in this section
20 shall be used by the state training school and by the Iowa
21 juvenile home for grants for adolescent pregnancy prevention
22 activities at the institutions in the fiscal year beginning
23 July 1, 2014.

24 Sec. 20. 2013 Iowa Acts, chapter 138, is amended by adding
25 the following new section:

26 NEW SECTION. SEC. 147A. CHILDREN ADJUDICATED AS DELINQUENT
27 OR CHILD IN NEED OF ASSISTANCE — IOWA JUVENILE HOME. There
28 is appropriated from the general fund of the state to the
29 department of human services for the fiscal year beginning July
30 1, 2014, and ending June 30, 2015, the following amount, or
31 so much thereof as is necessary, to be used for the purposes
32 designated:

33 For the placement costs of female children adjudicated
34 as delinquent and male and female children adjudicated as a
35 child in need of assistance, and for the costs of compensatory

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1 education for children formerly placed at the Iowa juvenile
2 home at Toledo:

3 \$ 5,110,534

4 1. Of the funds appropriated in this section, \$3,892,534
5 shall be used for the placement costs of female children
6 adjudicated as delinquent and male and female children
7 adjudicated as a child in need of assistance, who are deemed by
8 the department to be eligible for use of the funds.

9 2. Of the funds appropriated in this section, \$1,218,000
10 shall be used for the costs of compensatory education to
11 address the reviews of special education of certain children
12 placed at the Iowa juvenile home conducted by the department of
13 education in fall 2013 and reported to the department of human
14 services on October 7 and December 20, 2013.

15 3. By January 1, 2015, the department shall provide a
16 report to the governor and the legislative services agency that
17 includes a description of the status of juvenile delinquent
18 girls in out-of-home placements during the period beginning
19 December 1, 2013, and ending December 1, 2014; identifies
20 their placement histories; provides the reason for placement;
21 provides a status report on educational services and treatment
22 of youth at department facilities; and makes appropriate
23 recommendations for legislation deemed necessary.

24 Sec. 21. 2013 Iowa Acts, chapter 138, section 148, is
25 amended to read as follows:

26 SEC. 148. CHILD AND FAMILY SERVICES.

27 1. There is appropriated from the general fund of the
28 state to the department of human services for the fiscal year
29 beginning July 1, 2014, and ending June 30, 2015, the following
30 amount, or so much thereof as is necessary, to be used for the
31 purpose designated:

32 For child and family services:

33 \$ ~~45,641,960~~

34 95,664,831

35 2. Up to ~~\$2,600,000~~ \$5,200,000 of the amount of federal

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1 temporary assistance for needy families block grant funding
2 appropriated in this division of this Act for child and family
3 services shall be made available for purposes of juvenile
4 delinquent graduated sanction services.

5 3. The department may transfer funds appropriated in this
6 section as necessary to pay the nonfederal costs of services
7 reimbursed under the medical assistance program, state child
8 care assistance program, or the family investment program which
9 are provided to children who would otherwise receive services
10 paid under the appropriation in this section. The department
11 may transfer funds appropriated in this section to the
12 appropriations made in this division of this Act for general
13 administration and for field operations for resources necessary
14 to implement and operate the services funded in this section.

15 4. a. Of the funds appropriated in this section, up
16 to ~~\$16,121,163~~ \$36,400,721 is allocated as the statewide
17 expenditure target under section 232.143 for group foster care
18 maintenance and services. If the department projects that such
19 expenditures for the fiscal year will be less than the target
20 amount allocated in this lettered paragraph, the department may
21 reallocate the excess to provide additional funding for shelter
22 care or the child welfare emergency services addressed with the
23 allocation for shelter care.

24 b. If at any time after September 30, 2014, annualization
25 of a service area's current expenditures indicates a service
26 area is at risk of exceeding its group foster care expenditure
27 target under section 232.143 by more than 5 percent, the
28 department and juvenile court services shall examine all
29 group foster care placements in that service area in order to
30 identify those which might be appropriate for termination.
31 In addition, any aftercare services believed to be needed
32 for the children whose placements may be terminated shall be
33 identified. The department and juvenile court services shall
34 initiate action to set dispositional review hearings for the
35 placements identified. In such a dispositional review hearing,

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1 the juvenile court shall determine whether needed aftercare
2 services are available and whether termination of the placement
3 is in the best interest of the child and the community.

4 5. In accordance with the provisions of section 232.188,
5 the department shall continue the child welfare and juvenile
6 justice funding initiative during fiscal year 2014-2015. Of
7 the funds appropriated in this section, ~~\$858,877~~ \$1,717,753
8 is allocated specifically for expenditure for fiscal year
9 2014-2015 through the decategorization ~~service~~ services funding
10 pools and governance boards established pursuant to section
11 232.188.

12 6. A portion of the funds appropriated in this section
13 may be used for emergency family assistance to provide other
14 resources required for a family participating in a family
15 preservation or reunification project or successor project to
16 stay together or to be reunified.

17 7. Notwithstanding section 234.35 or any other provision
18 of law to the contrary, state funding for shelter care and
19 the child welfare emergency services contracting implemented
20 to provide for or prevent the need for shelter care shall be
21 limited to ~~\$3,808,024~~ \$7,717,822.

22 8. Federal funds received by the state during the fiscal
23 year beginning July 1, 2014, as the result of the expenditure
24 of state funds appropriated during a previous state fiscal
25 year for a service or activity funded under this section are
26 appropriated to the department to be used as additional funding
27 for services and purposes provided for under this section.
28 Notwithstanding section 8.33, moneys received in accordance
29 with this subsection that remain unencumbered or unobligated at
30 the close of the fiscal year shall not revert to any fund but
31 shall remain available for the purposes designated until the
32 close of the succeeding fiscal year.

33 9. a. Of the funds appropriated in this section, up to
34 ~~\$1,645,000~~ \$3,290,000 is allocated for the payment of the
35 expenses of court-ordered services provided to juveniles who



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1 are under the supervision of juvenile court services, which
2 expenses are a charge upon the state pursuant to section
3 232.141, subsection 4. Of the amount allocated in this
4 lettered paragraph, up to ~~\$778,144~~ \$1,556,287 shall be made
5 available to provide school-based supervision of children
6 adjudicated under chapter 232, of which not more than ~~\$7,500~~
7 \$15,000 may be used for the purpose of training. A portion of
8 the cost of each school-based liaison officer shall be paid by
9 the school district or other funding source as approved by the
10 chief juvenile court officer.

11 b. Of the funds appropriated in this section, up to ~~\$374,493~~
12 \$748,985 is allocated for the payment of the expenses of
13 court-ordered services provided to children who are under the
14 supervision of the department, which expenses are a charge upon
15 the state pursuant to section 232.141, subsection 4.

16 c. Notwithstanding section 232.141 or any other provision
17 of law to the contrary, the amounts allocated in this
18 subsection shall be distributed to the judicial districts
19 as determined by the state court administrator and to the
20 department's service areas as determined by the administrator
21 of the department's division of child and family services. The
22 state court administrator and the division administrator shall
23 make the determination of the distribution amounts on or before
24 June 15, 2014.

25 d. Notwithstanding chapter 232 or any other provision of
26 law to the contrary, a district or juvenile court shall not
27 order any service which is a charge upon the state pursuant
28 to section 232.141 if there are insufficient court-ordered
29 services funds available in the district court or departmental
30 service area distribution amounts to pay for the service. The
31 chief juvenile court officer and the departmental service area
32 manager shall encourage use of the funds allocated in this
33 subsection such that there are sufficient funds to pay for
34 all court-related services during the entire year. The chief
35 juvenile court officers and departmental service area managers

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1 shall attempt to anticipate potential surpluses and shortfalls
2 in the distribution amounts and shall cooperatively request the
3 state court administrator or division administrator to transfer
4 funds between the judicial districts' or departmental service
5 areas' distribution amounts as prudent.

6 e. Notwithstanding any provision of law to the contrary,
7 a district or juvenile court shall not order a county to pay
8 for any service provided to a juvenile pursuant to an order
9 entered under chapter 232 which is a charge upon the state
10 under section 232.141, subsection 4.

11 f. Of the funds allocated in this subsection, not more
12 than ~~\$41,500~~ \$83,000 may be used by the judicial branch for
13 administration of the requirements under this subsection.

14 g. Of the funds allocated in this subsection, ~~\$8,500~~ \$17,000
15 shall be used by the department of human services to support
16 the interstate commission for juveniles in accordance with
17 the interstate compact for juveniles as provided in section
18 232.173.

19 10. Of the funds appropriated in this section, ~~\$4,026,613~~
20 \$8,053,226 is allocated for juvenile delinquent graduated
21 sanctions services. Any state funds saved as a result of
22 efforts by juvenile court services to earn federal Tit. IV-E
23 match for juvenile court services administration may be used
24 for the juvenile delinquent graduated sanctions services.

25 11. Of the funds appropriated in this section, ~~\$804,143~~
26 \$1,608,285 is transferred to the department of public health
27 to be used for the child protection center grant program in
28 accordance with section 135.118. The grant amounts under the
29 program shall be equalized so that each center receives a
30 uniform amount of at least ~~\$122,500~~ \$245,000.

31 12. If the department receives federal approval to
32 implement a waiver under Tit. IV-E of the federal Social
33 Security Act to enable providers to serve children who remain
34 in the children's families and communities, for purposes of
35 eligibility under the medical assistance program through 25

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1 years of age, children who participate in the waiver shall be
2 considered to be placed in foster care.

3 13. Of the funds appropriated in this section, ~~\$1,628,490~~
4 \$3,256,980 is allocated for the preparation for adult living
5 program pursuant to section 234.46.

6 14. Of the funds appropriated in this section, ~~\$260,075~~
7 \$520,150 shall be used for juvenile drug courts. The amount
8 allocated in this subsection shall be distributed as follows:

9 To the judicial branch for salaries to assist with the
10 operation of juvenile drug court programs operated in the
11 following jurisdictions:

12 a. Marshall county:

13 \$ ~~31,354~~
14 62,708

15 b. Woodbury county:

16 \$ ~~62,841~~
17 125,682

18 c. Polk county:

19 \$ ~~97,946~~
20 195,892

21 d. The third judicial district:

22 \$ ~~33,967~~
23 67,934

24 e. The eighth judicial district:

25 \$ ~~33,967~~
26 67,934

27 15. Of the funds appropriated in this section, ~~\$113,669~~
28 \$227,337 shall be used for the public purpose of continuing
29 a grant to a nonprofit human services organization providing
30 services to individuals and families in multiple locations in
31 southwest Iowa and Nebraska for support of a project providing
32 immediate, sensitive support and forensic interviews, medical
33 exams, needs assessments, and referrals for victims of child
34 abuse and their nonoffending family members.

35 16. Of the funds appropriated in this section, ~~\$100,295~~

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1 \$210,260 is allocated for the foster care youth council
2 approach of providing a support network to children placed in
3 foster care.

4 17. Of the funds appropriated in this section, ~~\$101,000~~
5 \$202,000 is allocated for use pursuant to section 235A.1 for
6 continuation of the initiative to address child sexual abuse
7 implemented pursuant to 2007 Iowa Acts, chapter 218, section
8 18, subsection 21.

9 18. Of the funds appropriated in this section, ~~\$315,120~~
10 \$630,240 is allocated for the community partnership for child
11 protection sites.

12 19. Of the funds appropriated in this section, ~~\$185,625~~
13 \$371,250 is allocated for the department's minority youth and
14 family projects under the redesign of the child welfare system.

15 20. Of the funds appropriated in this section, ~~\$718,298~~
16 \$1,186,595 is allocated for funding of the community circle of
17 care collaboration for children and youth in northeast Iowa.

18 21. Of the funds appropriated in this section, at least
19 ~~\$73,579~~ \$147,158 shall be used for the child welfare training
20 academy.

21 22. Of the funds appropriated in this section, ~~\$12,500~~
22 \$25,000 shall be used for the public purpose of continuation
23 of a grant to a child welfare services provider headquartered
24 in a county with a population between 205,000 and 215,000 in
25 the latest certified federal census that provides multiple
26 services including but not limited to a psychiatric medical
27 institution for children, shelter, residential treatment, after
28 school programs, school-based programming, and an Asperger's
29 syndrome program, to be used for support services for children
30 with autism spectrum disorder and their families.

31 23. Of the funds appropriated in this section, ~~\$12,500~~
32 \$25,000 shall be used for the public purpose of continuing a
33 grant to a hospital-based provider headquartered in a county
34 with a population between 90,000 and 95,000 in the latest
35 certified federal census that provides multiple services



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1 including but not limited to diagnostic, therapeutic, and
2 behavioral services to individuals with autism spectrum
3 disorder across the lifespan. The grant recipient shall
4 utilize the funds to continue the pilot project to determine
5 the necessary support services for children with autism
6 spectrum disorder and their families to be included in the
7 children's disabilities services system. The grant recipient
8 shall submit findings and recommendations based upon the
9 results of the pilot project to the individuals specified in
10 this division of this Act for submission of reports by December
11 31, 2014.

12 24. Of the funds appropriated in this section, ~~\$163,974~~
13 \$211,872 shall be used for continuation of the central Iowa
14 system of care program grant through June 30, 2015.

15 25. Of the funds appropriated in this section, ~~\$80,000~~
16 \$110,000 shall be used for the public purpose of the
17 continuation of a system of care grant implemented in Cerro
18 Gordo and Linn counties.

19 26. Of the funds appropriated in this section, at least
20 ~~\$12,500~~ \$25,000 shall be used to continue and to expand the
21 foster care respite pilot program in which postsecondary
22 students in social work and other human services-related
23 programs receive experience by assisting family foster care
24 providers with respite and other support.

25 27. Of the funds appropriated in this section, \$160,000
26 shall be used for the public purpose of funding child welfare
27 services with a system of care approach through a nonprofit
28 provider of child welfare services that has been in existence
29 for more than 115 years, is located in a county with a
30 population of more than 200,000 but less than 220,000 according
31 to the latest census information issued by the United States
32 census bureau provider, is licensed as a psychiatric medical
33 institution for children, and has not been a system of care
34 grantee prior to July 1, 2014.

35 Sec. 22. 2013 Iowa Acts, chapter 138, section 149, is



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1 amended to read as follows:

2 SEC. 149. ADOPTION SUBSIDY.

3 1. There is appropriated from the general fund of the
4 state to the department of human services for the fiscal year
5 beginning July 1, 2014, and ending June 30, 2015, the following
6 amount, or so much thereof as is necessary, to be used for the
7 purpose designated:

8 For adoption subsidy payments and services:

9 \$ ~~20,364,641~~
10 42,580,749

11 2. The department may transfer funds appropriated in
12 this section to the appropriation made in this division of
13 this Act for general administration for costs paid from the
14 appropriation relating to adoption subsidy.

15 3. Federal funds received by the state during the
16 fiscal year beginning July 1, 2014, as the result of the
17 expenditure of state funds during a previous state fiscal
18 year for a service or activity funded under this section are
19 appropriated to the department to be used as additional funding
20 for the services and activities funded under this section.
21 Notwithstanding section 8.33, moneys received in accordance
22 with this subsection that remain unencumbered or unobligated
23 at the close of the fiscal year shall not revert to any fund
24 but shall remain available for expenditure for the purposes
25 designated until the close of the succeeding fiscal year.

26 Sec. 23. 2013 Iowa Acts, chapter 138, section 151, is
27 amended to read as follows:

28 SEC. 151. FAMILY SUPPORT SUBSIDY PROGRAM.

29 1. There is appropriated from the general fund of the
30 state to the department of human services for the fiscal year
31 beginning July 1, 2014, and ending June 30, 2015, the following
32 amount, or so much thereof as is necessary, to be used for the
33 purpose designated:

34 For the family support subsidy program subject to the
35 enrollment restrictions in section 225C.37, subsection 3:

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1 \$ 546,478
2 1,079,739

3 2. The department shall use at least ~~\$241,750~~ \$532,500
4 of the moneys appropriated in this section for the family
5 support center component of the comprehensive family support
6 program under section 225C.47. Not more than ~~\$12,500~~ \$25,000
7 of the amount allocated in this subsection shall be used for
8 administrative costs.

9 3. If at any time during the fiscal year, the amount of
10 funding available for the family support subsidy program
11 is reduced from the amount initially used to establish the
12 figure for the number of family members for whom a subsidy
13 is to be provided at any one time during the fiscal year,
14 notwithstanding section 225C.38, subsection 2, the department
15 shall revise the figure as necessary to conform to the amount
16 of funding available.

17 Sec. 24. 2013 Iowa Acts, chapter 138, section 152, is
18 amended to read as follows:

19 SEC. 152. CONNER DECREE. There is appropriated from the
20 general fund of the state to the department of human services
21 for the fiscal year beginning July 1, 2014, and ending June 30,
22 2015, the following amount, or so much thereof as is necessary,
23 to be used for the purpose designated:

24 For building community capacity through the coordination
25 and provision of training opportunities in accordance with the
26 consent decree of Conner v. Branstad, No. 4-86-CV-30871(S.D.
27 Iowa, July 14, 1994):

28 \$ 16,811
29 33,632

30 Sec. 25. 2013 Iowa Acts, chapter 138, section 153, is
31 amended to read as follows:

32 SEC. 153. MENTAL HEALTH INSTITUTES. There is appropriated
33 from the general fund of the state to the department of human
34 services for the fiscal year beginning July 1, 2014, and ending
35 June 30, 2015, the following amounts, or so much thereof as is

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1 necessary, to be used for the purposes designated:

2 1. For the state mental health institute at Cherokee for
3 salaries, support, maintenance, and miscellaneous purposes, and
4 for not more than the following full-time equivalent positions:
5 \$ ~~2,977,232~~
6 6,031,934
7 FTEs 169.20

8 2. For the state mental health institute at Clarinda for
9 salaries, support, maintenance, and miscellaneous purposes, and
10 for not more than the following full-time equivalent positions:
11 \$ ~~3,375,934~~
12 6,787,309
13 FTEs 86.10

14 3. For the state mental health institute at Independence for
15 salaries, support, maintenance, and miscellaneous purposes, and
16 for not more than the following full-time equivalent positions:
17 \$ ~~5,159,389~~
18 10,484,386
19 FTEs 233.00

20 4. For the state mental health institute at Mount Pleasant
21 for salaries, support, maintenance, and miscellaneous purposes,
22 and for not more than the following full-time equivalent
23 positions:
24 \$ ~~683,343~~
25 1,417,796
26 FTEs 97.92

27 Sec. 26. 2013 Iowa Acts, chapter 138, section 154, is
28 amended to read as follows:

29 SEC. 154. STATE RESOURCE CENTERS.

30 1. There is appropriated from the general fund of the
31 state to the department of human services for the fiscal year
32 beginning July 1, 2014, and ending June 30, 2015, the following
33 amounts, or so much thereof as is necessary, to be used for the
34 purposes designated:

35 a. For the state resource center at Glenwood for salaries,

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1 support, maintenance, and miscellaneous purposes:
2 \$ ~~10,137,236~~
3 21,695,266

4 b. For the state resource center at Woodward for salaries,
5 support, maintenance, and miscellaneous purposes:
6 \$ ~~7,110,232~~
7 14,855,693

8 2. The department may continue to bill for state resource
9 center services utilizing a scope of services approach used for
10 private providers of ICFID services, in a manner which does not
11 shift costs between the medical assistance program, counties,
12 or other sources of funding for the state resource centers.

13 3. The state resource centers may expand the time-limited
14 assessment and respite services during the fiscal year.

15 4. If the department's administration and the department
16 of management concur with a finding by a state resource
17 center's superintendent that projected revenues can reasonably
18 be expected to pay the salary and support costs for a new
19 employee position, or that such costs for adding a particular
20 number of new positions for the fiscal year would be less
21 than the overtime costs if new positions would not be added,
22 the superintendent may add the new position or positions. If
23 the vacant positions available to a resource center do not
24 include the position classification desired to be filled, the
25 state resource center's superintendent may reclassify any
26 vacant position as necessary to fill the desired position. The
27 superintendents of the state resource centers may, by mutual
28 agreement, pool vacant positions and position classifications
29 during the course of the fiscal year in order to assist one
30 another in filling necessary positions.

31 5. If existing capacity limitations are reached in
32 operating units, a waiting list is in effect for a service or
33 a special need for which a payment source or other funding
34 is available for the service or to address the special need,
35 and facilities for the service or to address the special need

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1 can be provided within the available payment source or other
2 funding, the superintendent of a state resource center may
3 authorize opening not more than two units or other facilities
4 and begin implementing the service or addressing the special
5 need during fiscal year 2014-2015.

6 Sec. 27. 2013 Iowa Acts, chapter 138, section 155, is
7 amended to read as follows:

8 SEC. 155. SEXUALLY VIOLENT PREDATORS.

9 1. There is appropriated from the general fund of the
10 state to the department of human services for the fiscal year
11 beginning July 1, 2014, and ending June 30, 2015, the following
12 amount, or so much thereof as is necessary, to be used for the
13 purpose designated:

14 For costs associated with the commitment and treatment of
15 sexually violent predators in the unit located at the state
16 mental health institute at Cherokee, including costs of legal
17 services and other associated costs, including salaries,
18 support, maintenance, and miscellaneous purposes, and for not
19 more than the following full-time equivalent positions:

20	\$	4,708,485
21		<u>9,923,563</u>
22	FTEs	124.50
23		<u>132.50</u>

24 2. Unless specifically prohibited by law, if the amount
25 charged provides for recoupment of at least the entire amount
26 of direct and indirect costs, the department of human services
27 may contract with other states to provide care and treatment
28 of persons placed by the other states at the unit for sexually
29 violent predators at Cherokee. The moneys received under
30 such a contract shall be considered to be repayment receipts
31 and used for the purposes of the appropriation made in this
32 section.

33 Sec. 28. 2013 Iowa Acts, chapter 138, section 156, is
34 amended to read as follows:

35 SEC. 156. FIELD OPERATIONS. There is appropriated from the

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1 general fund of the state to the department of human services
2 for the fiscal year beginning July 1, 2014, and ending June 30,
3 2015, the following amount, or so much thereof as is necessary,
4 to be used for the purposes designated:

5 For field operations, including salaries, support,
6 maintenance, and miscellaneous purposes, and for not more than
7 the following full-time equivalent positions:

8	\$ 33,261,194
9	<u>66,670,976</u>
10	FTEs 1,837.00

11 1A. As a condition of this appropriation, the department
12 shall make every possible effort to fill the entire number of
13 positions authorized by this section and, unless specifically
14 provided otherwise by an applicable collective bargaining
15 agreement, the department is not subject to any approval
16 requirement external to the department to fill a field
17 operations vacancy within the number of full-time equivalent
18 positions authorized by this section. The department shall
19 report on the first of each month to the chairpersons and
20 ranking members of the appropriations committees of the senate
21 and house of representatives, and the persons designated by
22 this Act for submission of reports concerning the status of
23 filling the positions.

24 2. Priority in filling full-time equivalent positions
25 shall be given to those positions related to child protection
26 services and eligibility determination for low-income families.

27 Sec. 29. 2013 Iowa Acts, chapter 138, section 157, is
28 amended to read as follows:

29 SEC. 157. GENERAL ADMINISTRATION. There is appropriated
30 from the general fund of the state to the department of human
31 services for the fiscal year beginning July 1, 2014, and ending
32 June 30, 2015, the following amount, or so much thereof as is
33 necessary, to be used for the purpose designated:

34 For general administration, including salaries, support,
35 maintenance, and miscellaneous purposes, and for not more than

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1 the following full-time equivalent positions:

2	\$	8,152,386
3		<u>16,304,602</u>
4	FTEs	309.00

5 1. Of the funds appropriated in this section, ~~\$31,772~~
6 \$38,543 is allocated for the prevention of disabilities policy
7 council established in section 225B.3.

8 2A. The department shall report at least monthly to the
9 legislative services agency concerning the department's
10 operational and program expenditures.

11 3. Of the funds appropriated in this section, ~~\$66,150~~
12 \$132,300 shall be used to continue the contract for the
13 provision of a program to provide technical assistance,
14 support, and consultation to providers of habilitation services
15 and home and community-based services waiver services for
16 adults with disabilities under the medical assistance program.

17 4. Of the funds appropriated in this section, ~~\$25,000~~
18 \$50,000 is transferred to the Iowa finance authority to be
19 used for administrative support of the council on homelessness
20 established in section 16.100A and for the council to fulfill
21 its duties in addressing and reducing homelessness in the
22 state.

23 5A. Of the funds appropriated in this section \$250,000 is
24 transferred to the department of inspections and appeals to be
25 used to implement a new mental health advocate division in the
26 department in accordance with this 2014 Act.

27 Sec. 30. 2013 Iowa Acts, chapter 138, section 158, is
28 amended to read as follows:

29 SEC. 158. VOLUNTEERS. There is appropriated from the
30 general fund of the state to the department of human services
31 for the fiscal year beginning July 1, 2014, and ending June 30,
32 2015, the following amount, or so much thereof as is necessary,
33 to be used for the purpose designated:

34 For development and coordination of volunteer services:

35	\$	42,330
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1 84,686
2 Sec. 31. 2013 Iowa Acts, chapter 138, section 159,
3 subsection 1, paragraph a, subparagraph (1), is amended to read
4 as follows:
5 (1) For the fiscal year beginning July 1, 2014, the total
6 state funding amount for the nursing facility budget shall not
7 exceed ~~\$268,712,511~~ \$282,878,824.
8 Sec. 32. 2013 Iowa Acts, chapter 138, section 159,
9 subsection 1, paragraph b, is amended to read as follows:
10 b. (1) For the fiscal year beginning July 1, 2014,
11 the department shall continue the pharmacy dispensing fee
12 reimbursement at \$10.12 per prescription until a cost of
13 dispensing survey is completed. The actual dispensing fee
14 shall be determined by a cost of dispensing survey performed
15 by the department and required to be completed by all medical
16 assistance program participating pharmacies every two years
17 beginning in FY 2014-2015.
18 (2) The department shall utilize an average acquisition
19 cost reimbursement methodology for all drugs covered under the
20 medical assistance program in accordance with 2012 Iowa Acts,
21 chapter 1133, section 33.
22 (3) Notwithstanding subparagraph (2), if the centers for
23 Medicare and Medicaid services of the United States department
24 of health and human services (CMS) requires, as a condition
25 of federal Medicaid funding, that the department implement an
26 aggregate federal upper limit (FUL) for drug reimbursement
27 based on the average manufacturer's price (AMP), the department
28 may utilize a reimbursement methodology for all drugs covered
29 under the Medicaid program based on the national average drug
30 acquisition cost (NADAC) methodology published by CMS, in order
31 to assure compliance with the aggregate FUL, minimize outcomes
32 of drug reimbursements below pharmacy acquisition costs, limit
33 administrative costs, and minimize any change in the aggregate
34 reimbursement for drugs. The department may adopt emergency
35 rules to implement this subparagraph.



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1 Sec. 33. 2013 Iowa Acts, chapter 138, section 159,
2 subsection 1, paragraph n, is amended to read as follows:
3 n. For the fiscal year beginning July 1, 2014, the
4 reimbursement rates for inpatient mental health services
5 provided at hospitals shall remain at the rates in effect
6 on June 30, 2014, subject to Medicaid program upper payment
7 limit rules; ~~community mental health centers and providers~~
8 ~~of mental health services to county residents pursuant to a~~
9 ~~waiver approved under section 225C.7, subsection 3, shall be~~
10 ~~reimbursed at 100 percent of the reasonable costs for the~~
11 ~~provision of services to recipients of medical assistance;~~ and
12 psychiatrists shall be reimbursed at the medical assistance
13 program fee for service rate.
14 Sec. 34. 2013 Iowa Acts, chapter 138, section 159,
15 subsection 1, is amended by adding the following new paragraph:
16 NEW PARAGRAPH. 0o. For the fiscal year beginning July
17 1, 2014, community mental health centers may choose to be
18 reimbursed for the services provided to recipients of medical
19 assistance through either of the following options:
20 (1) For 100 percent of the reasonable costs of the services.
21 (2) In accordance with the alternative reimbursement rate
22 methodology established by the medical assistance program's
23 managed care contractor for mental health services and approved
24 by the department of human services.
25 Sec. 35. 2013 Iowa Acts, chapter 138, section 159,
26 subsection 6, is amended to read as follows:
27 6. For the fiscal year beginning July 1, 2014, the
28 reimbursement rates for family-centered service providers,
29 family foster care service providers, ~~group foster care service~~
30 ~~providers,~~ and the resource family recruitment and retention
31 contractor shall remain at the rates in effect on June 30,
32 2014.
33 Sec. 36. 2013 Iowa Acts, chapter 138, section 159, is
34 amended by adding the following new subsection:
35 NEW SUBSECTION. 6A. a. For the purposes of this

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1 subsection, "combined reimbursement rate" means the combined
2 service and maintenance reimbursement rate for a service level
3 under the department's reimbursement methodology.

4 b. For the fiscal year beginning July 1, 2014, the combined
5 reimbursement rate for the department's group foster care
6 service levels, community - D1, comprehensive - D2, and
7 enhanced - D3, shall be 80 percent of the patient-day weighted
8 statewide average cost of group foster care cost reports
9 that were verified and used for the foster group care rate
10 methodology workgroup final report submitted to the general
11 assembly in December 2012, as adjusted for utilization in the
12 fiscal year beginning July 1, 2014.

13 Sec. 37. 2013 Iowa Acts, chapter 138, section 159,
14 subsection 9, is amended to read as follows:

15 9. For the fiscal year beginning July 1, ~~2013~~ 2014, the
16 department shall calculate reimbursement rates for intermediate
17 care facilities for persons with intellectual disabilities at
18 the 80th percentile. Beginning July 1, ~~2013~~ 2014, the rate
19 calculation methodology shall utilize the consumer price index
20 inflation factor applicable to the fiscal year beginning July
21 1, 2013.

22 Sec. 38. 2013 Iowa Acts, chapter 138, section 160, is
23 amended to read as follows:

24 SEC. 160. EMERGENCY RULES.

25 1. If specifically authorized by a provision of this
26 division of this Act for the fiscal year beginning July 1, ~~2013~~
27 2014, the department of human services or the mental health
28 and disability services commission may adopt administrative
29 rules under section 17A.4, subsection 3, and section 17A.5,
30 subsection 2, paragraph "b", to implement the provisions and
31 the rules shall become effective immediately upon filing or
32 on a later effective date specified in the rules, unless the
33 effective date is delayed by the administrative rules review
34 committee. Any rules adopted in accordance with this section
35 shall not take effect before the rules are reviewed by the



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1 administrative rules review committee. The delay authority
2 provided to the administrative rules review committee under
3 section 17A.4, subsection 7, and section 17A.8, subsection 9,
4 shall be applicable to a delay imposed under this section,
5 ~~notwithstanding a provision in those sections making them~~
6 ~~inapplicable to section 17A.5, subsection 2, paragraph "b".~~
7 Any rules adopted in accordance with the provisions of this
8 section shall also be published as notice of intended action
9 as provided in section 17A.4.

10 2. If during the fiscal year beginning July 1, ~~2013~~
11 2014, the department of human services is adopting rules in
12 accordance with this section or as otherwise directed or
13 authorized by state law, and the rules will result in an
14 expenditure increase beyond the amount anticipated in the
15 budget process or if the expenditure was not addressed in
16 the budget process for the fiscal year, the department shall
17 notify the persons designated by this division of this Act for
18 submission of reports, the chairpersons and ranking members
19 of the committees on appropriations, and the department of
20 management concerning the rules and the expenditure increase.
21 The notification shall be provided at least 30 calendar days
22 prior to the date notice of the rules is submitted to the
23 administrative rules coordinator and the administrative code
24 editor.

25 Sec. 39. 2013 Iowa Acts, chapter 138, section 161, is
26 amended to read as follows:

27 SEC. 161. REPORTS. Any reports or other information
28 required to be compiled and submitted under this Act during
29 the fiscal year beginning July 1, ~~2013~~ 2014, shall be
30 submitted to the chairpersons and ranking members of the joint
31 appropriations subcommittee on health and human services, the
32 legislative services agency, and the legislative caucus staffs
33 on or before the dates specified for submission of the reports
34 or information.

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1 HEALTH CARE ACCOUNTS AND FUNDS

2 Sec. 40. 2013 Iowa Acts, chapter 138, section 162, is
3 amended to read as follows:

4 SEC. 162. PHARMACEUTICAL SETTLEMENT ACCOUNT. There is
5 appropriated from the pharmaceutical settlement account created
6 in section 249A.33 to the department of human services for the
7 fiscal year beginning July 1, 2014, and ending June 30, 2015,
8 the following amount, or so much thereof as is necessary, to be
9 used for the purpose designated:

10 Notwithstanding any provision of law to the contrary, to
11 supplement the appropriations made in this Act for medical
12 contracts under the medical assistance program for the fiscal
13 year beginning July 1, ~~2013~~ 2014, and ending June 30, ~~2014~~
14 2015:

15 \$ ~~3,325,000~~
16 5,467,564

17 Sec. 41. 2013 Iowa Acts, chapter 138, section 163, is
18 amended to read as follows:

19 SEC. 163. QUALITY ASSURANCE TRUST FUND — DEPARTMENT OF
20 HUMAN SERVICES. Notwithstanding any provision to the contrary
21 and subject to the availability of funds, there is appropriated
22 from the quality assurance trust fund created in section
23 249L.4 to the department of human services for the fiscal year
24 beginning July 1, 2014, and ending June 30, 2015, the following
25 amounts, or so much thereof as is necessary, for the purposes
26 designated:

27 To supplement the appropriation made in this Act from the
28 general fund of the state to the department of human services
29 for medical assistance for the same fiscal year:

30 \$ ~~28,788,917~~
31 29,195,653

32 DIVISION VII

33 PERSONNEL SETTLEMENT AGREEMENTS

34 Sec. 42. PERSONNEL SETTLEMENT AGREEMENT PAYMENTS. As a
35 condition of the appropriations in this 2014 Act, the moneys

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1 appropriated and any other moneys available shall not be used
2 for payment of a personnel settlement agreement that contains a
3 confidentiality provision intended to prevent public disclosure
4 of the agreement or any terms of the agreement.

5 DIVISION VIII

6 PRIOR YEAR APPROPRIATIONS

7 MEDICAL RESIDENCY

8 Sec. 43. 2013 Iowa Acts, chapter 138, section 3, subsection
9 4, paragraph r, is amended to read as follows:

10 r. Of the funds appropriated in this subsection, \$2,000,000
11 shall be deposited in the medical residency training account
12 created in section 135.175, subsection 5, paragraph "a", and
13 is appropriated from the account to the department of public
14 health to be used for the purposes of the medical residency
15 training state matching grants program as specified in section
16 135.176. However, notwithstanding any provision to the
17 contrary in section 135.176, priority in the awarding of grants
18 shall be given to the development of new medical residency
19 positions, psychiatric residency positions, and family practice
20 residency positions.

21 CONSUMER-DIRECTED ATTENDANT CARE

22 Sec. 44. 2013 Iowa Acts, chapter 138, section 12, subsection
23 19, paragraph a, subparagraph (6), is amended to read as
24 follows:

25 ~~(6) The department shall require transition of the~~
26 ~~provision by individual providers of personal care under the~~
27 ~~consumer-directed attendant care option to agency-provided~~
28 ~~personal care services and shall retain the consumer choice~~
29 ~~option for those individuals able and desiring to self-direct~~
30 ~~services.~~

31 AUTISM

32 Sec. 45. 2013 Iowa Acts, chapter 138, section 13, subsection
33 10, is amended to read as follows:

34 10. Of the funds appropriated in this section, \$2,000,000
35 shall be used for the autism support program created in

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1 chapter 225D, as enacted in this Act, beginning January 1,
2 2014. Notwithstanding section 8.33, moneys allocated in this
3 subsection that remain unencumbered or unobligated at the close
4 of the fiscal year shall not revert but shall remain available
5 for expenditure for the purposes designated until the close of
6 the succeeding fiscal year.

7 FOSTER CARE RESPITE

8 Sec. 46. 2013 Iowa Acts, chapter 138, section 18, subsection
9 26, is amended to read as follows:

10 26. Of the funds appropriated in this section, at least
11 \$25,000 shall be used to continue and to expand the foster
12 care respite pilot program in which postsecondary students in
13 social work and other human services-related programs receive
14 experience by assisting family foster care providers with
15 respite and other support. Notwithstanding section 8.33,
16 moneys allocated in this subsection that remain unencumbered or
17 unobligated at the close of the fiscal year shall not revert
18 but shall remain available for expenditure for the purposes
19 designated until the close of the succeeding fiscal year.

20 COMMUNITY MENTAL HEALTH CENTER REIMBURSEMENT

21 Sec. 47. 2013 Iowa Acts, chapter 138, section 29, subsection
22 1, paragraph n, is amended to read as follows:

23 n. For the fiscal year beginning July 1, 2013, the
24 reimbursement rates for inpatient mental health services
25 provided at hospitals shall be increased by 1 percent over the
26 rates in effect on June 30, 2013, subject to Medicaid program
27 upper payment limit rules; ~~community mental health centers~~
28 ~~and providers of mental health services to county residents~~
29 ~~pursuant to a waiver approved under section 225C.7, subsection~~
30 ~~3, shall be reimbursed at 100 percent of the reasonable~~
31 ~~costs for the provision of services to recipients of medical~~
32 ~~assistance, and psychiatrists shall be reimbursed at the~~
33 medical assistance program fee-for-service rate.

34 Sec. 48. 2013 Iowa Acts, chapter 138, section 29, subsection
35 1, is amended by adding the following new paragraph:

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1 NEW PARAGRAPH. 0o. For the fiscal year beginning July
2 1, 2013, community mental health centers may choose to be
3 reimbursed for the services provided to recipients of medical
4 assistance through either of the following options:

5 (1) For 100 percent of the reasonable costs of the services.

6 (2) In accordance with the alternative reimbursement rate
7 methodology established by the medical assistance program's
8 managed care contractor for mental health services and approved
9 by the department of human services.

10 Sec. 49. EMERGENCY RULES. The department of human services
11 may adopt emergency rules under section 17A.4, subsection 3,
12 and section 17A.5, subsection 2, paragraph "b", to implement
13 the section of this division of this Act amending 2013 Iowa
14 Acts, chapter 138, section 29, subsection 1, paragraph "n" and
15 enacting "0o", and the rules shall be effective immediately
16 upon filing unless a later date is specified in the rules. Any
17 rules adopted in accordance with this section shall also be
18 published as a notice of intended action as provided in section
19 17A.4.

20 Sec. 50. EFFECTIVE UPON ENACTMENT. This division of this
21 Act, being deemed of immediate importance, takes effect upon
22 enactment.

23 Sec. 51. RETROACTIVE APPLICABILITY. The section of this
24 division of this Act amending 2013 Iowa Acts, chapter 138,
25 section 12, subsection 19, paragraph "a", subparagraph (6),
26 applies retroactively to July 1, 2013.

27 Sec. 52. RETROACTIVE APPLICABILITY. The sections of this
28 division of this Act amending 2013 Iowa Acts, chapter 138,
29 section 29, subsection 1, paragraph "n" and enacting new
30 paragraph "0o", apply retroactively to July 1, 2013.

31 DIVISION IX

32 MENTAL HEALTH AND DISABILITY SERVICES

33 Sec. 53. MENTAL HEALTH AND DISABILITY SERVICES —
34 EQUALIZATION PAYMENTS TRANSFER AND APPROPRIATION.

35 1. There is transferred from the general fund of the

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1 state to the department of human services for the fiscal year
2 beginning July 1, 2014, and ending June 30, 2015, the following
3 amount, or so much thereof as is necessary, to be used for the
4 purposes designated:

5 For deposit in the property tax relief fund created in
6 section 426B.1, for distribution as provided in this section:
7 \$ 30,555,823

8 2. The moneys credited to the property tax relief fund in
9 accordance with this section are appropriated to the department
10 of human services for distribution of equalization payments for
11 counties in the amounts specified in section 426B.3, subsection
12 4, for the fiscal year beginning July 1, 2014. If the county
13 is part of a region that has been approved by the department in
14 accordance with section 331.389, to commence partial or full
15 operations, the county's equalization payment shall be remitted
16 to the region for expenditure as approved by the region's
17 governing board.

18 3. a. For the purposes of this subsection, "payment
19 obligation" means an outstanding obligation for payment to
20 the department of human services for the undisputed cost of
21 services provided under the medical assistance program prior
22 to July 1, 2012, or for the undisputed cost of non-Medicaid
23 services provided prior to July 1, 2013.

24 b. Unless a county has entered into an agreement as provided
25 in paragraph "c", if a county receiving an equalization payment
26 under this section has a payment obligation, the county shall
27 remit to the department any unpaid portion of the payment
28 obligation prior to June 30, 2015, from moneys available to the
29 county that meet federal match requirements for the medical
30 assistance program and for the child enrollment contingency
31 fund under the federal Children's Health Insurance Program
32 Reauthorization Act of 2009.

33 c. A county that has not paid the county's payment
34 obligation in full as provided in paragraph "b" shall enter
35 into an agreement with the department for remittance of



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1 any unpaid portion of the county's payment obligation. An
2 agreement entered into under this lettered paragraph shall
3 provide for remittance of any unpaid portion by the end of
4 the fiscal year beginning July 1, 2014. The equalization
5 payment for a county subject to this lettered paragraph shall
6 be remitted as provided by the county's agreement with the
7 department.

8 d. The equalization payment for a county that is not subject
9 to paragraph "c" shall be remitted on or before July 15, 2014.

10 Sec. 54. STATE PAYMENT PROGRAM REMITTANCE APPROPRIATION.
11 The moneys transferred to the property tax relief fund for the
12 fiscal year beginning July 1, 2014, from the federal social
13 services block grant pursuant to 2013 Iowa Acts, chapter 136,
14 section 11, subsection 3, paragraph "e", and from the federal
15 temporary assistance for needy families block grant, totaling
16 at least \$11,774,275, are appropriated to the department of
17 human services for the fiscal year beginning July 1, 2014, to
18 be used for distribution of state payment program remittances
19 to counties for the fiscal year in accordance with this
20 section. The state payment program remittance shall be an
21 amount equal to the amount paid to a county of residence under
22 the program for state case services known as the state payment
23 program, implemented pursuant to section 331.440, subsection
24 5, Code 2013, during the most recently available twelve-month
25 period.

26 Sec. 55. VOCATIONAL REHABILITATION SERVICES —
27 EMPLOYMENT. The department of human services and the division
28 of vocational rehabilitation services of the department of
29 education shall jointly develop protocols and program models to
30 integrate the employment-related services and other supports
31 provided to persons with disabilities through federal match
32 funding administered by the department and the division.
33 The department and the division shall report on or before
34 December 15, 2014, to the individuals identified in this Act
35 for submission of reports and to the chairpersons and ranking

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1 members of the joint appropriations subcommittee on education
2 on the expenditure of such funding in the previous fiscal year
3 along with findings and recommendations.

4 Sec. 56. BED AVAILABILITY TRACKING SYSTEM PROPOSAL. The
5 department of human services shall continue and expand upon
6 the study regarding the possible development of a psychiatric
7 and substance-related disorder treatment hospital bed tracking
8 system as documented in its report submitted in December
9 2013 pursuant to 2013 Iowa Acts, chapter 130, section 56.

10 In addition to representatives of magistrates and the Iowa
11 hospital association, the expanded study shall include
12 representatives of the regional mental health and disability
13 services system, state mental health institutes, and the Iowa
14 association of community providers. The study shall identify
15 options for implementing a bed tracking system in the fiscal
16 year beginning July 1, 2015, and include a detailed proposal
17 for the option preferred by the study group. The content of
18 the detailed proposal shall include a budget, identification
19 of how bed availability and related data would be entered
20 into the system and verified, how privacy information would
21 be protected, preferred options and rationales for addressing
22 implementation issues, a preferred administrative structure,
23 and other operational provisions. The results of the expanded
24 study shall be submitted on or before December 15, 2014, along
25 with findings and recommendations to the governor and the
26 persons designated by this Act for submission of reports.

27 Sec. 57. STUDY OF COMMUNITY-BASED SERVICE OPTIONS FOR
28 PERSONS WITH SERIOUS MENTAL ILLNESS. The department of
29 human services shall engage representatives of the department
30 of inspections and appeals, the regional mental health and
31 disability services system, the Iowa association of community
32 providers and other service providers, and other stakeholders
33 to study community-based placement options for persons with
34 serious mental illness to divert them from or end their need
35 for an institutional placement. The study shall consider

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1 both services currently available and services that should
2 be developed to meet the needs of persons with serious
3 mental illness. The system elements addressed by the study
4 shall include but are not limited to regulatory, liability,
5 and funding issues, and other barriers to maintaining
6 current community-based services options and developing new
7 options. The results of the study, including findings and
8 recommendations shall be reported on or before December 15,
9 2014, to the governor and the persons designated by this Act
10 for submission of reports.

11 Sec. 58. Section 331.388, subsection 3, Code 2014, is
12 amended to read as follows:

13 3. "Population" means, as of July 1 of the fiscal year
14 preceding the fiscal year in which the population figure is
15 applied, the population shown by the latest preceding certified
16 federal census or the latest applicable population estimate
17 issued by the United States census bureau, whichever is most
18 recent.

19 Sec. 59. Section 331.391, Code 2014, is amended by adding
20 the following new subsection:

21 NEW SUBSECTION. 4. If a region is meeting the financial
22 obligations for implementation of its regional service system
23 management plan for a fiscal year and residual funding is
24 anticipated, the regional administrator shall reserve an
25 adequate amount for cash flow of expenditure obligations in
26 the next fiscal year. The cash flow amount shall not exceed
27 twenty-five percent of the gross expenditures budgeted for the
28 combined account or for all regional accounts for the fiscal
29 year in progress. Residual funding remaining after the cash
30 flow amount is reserved shall be used to expand the region's
31 core services under section 331.397, subsection 4, and then to
32 make additional core service domains available in the region as
33 enumerated in section 331.397, subsection 6.

34 Sec. 60. Section 331.397, subsection 4, paragraph d,
35 unnumbered paragraph 1, Code 2014, is amended to read as

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1 follows:

2 Support for employment or for activities leading to
3 employment providing an appropriate match with an individual's
4 abilities, including but not limited to all of the following:

5 Sec. 61. Section 331.424A, Code 2014, is amended by adding
6 the following new subsection:

7 NEW SUBSECTION. 3A. An amount shall be reserved in the
8 county services fund to address cash flow obligations in the
9 next fiscal year. The cash flow amount shall not exceed
10 twenty-five percent of the gross expenditures budgeted from the
11 county services fund for the fiscal year in progress. The cash
12 flow amount for a county's services fund shall be specified in
13 the regional governance agreement entered into by the county
14 under section 331.392.

15 Sec. 62. Section 426B.3, subsection 4, Code 2014, is amended
16 to read as follows:

17 4. a. For the fiscal years beginning July 1, 2013,
18 ~~and~~ July 1, 2014, and July 1, 2015, a county with a county
19 population expenditure target amount that exceeds the amount
20 of the county's base year expenditures for mental health and
21 disabilities services shall receive an equalization payment for
22 the difference.

23 b. The equalization payments determined in accordance
24 with this subsection shall be made by the department of human
25 services for each fiscal year as provided in appropriations
26 made from the property tax relief fund for this purpose. If
27 the county is part of a region that has been approved by the
28 department in accordance with section 331.389, to commence
29 partial or full operations, the county's equalization payment
30 shall be remitted to the region or the county, as appropriate,
31 for expenditure as approved by the region's governing board or
32 in accordance with the county's service management plan, as
33 appropriate. The payment for a county that has been approved
34 by the department to operate as an individual county region
35 shall be remitted to the county for expenditure as approved by

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1 the county board of supervisors. For the fiscal year beginning
2 July 1, 2013, and succeeding fiscal years, the payment shall
3 be remitted ~~on or before December 31~~ only for those counties
4 approved to operate as an individual county region or to be
5 part of a region. Remittance of the payment for a county
6 without such approval shall be deferred until such approval is
7 granted.

8 Sec. 63. Section 426B.3, subsection 5, paragraph b, Code
9 2014, is amended to read as follows:

10 b. (1) For the fiscal year beginning July 1, 2013, and
11 succeeding fiscal years, the department of human services shall
12 calculate a Medicaid offset amount for each county for the
13 fiscal year. The department shall adopt rules in consultation
14 with the county finance committee specifying the information
15 to be used in calculating a Medicaid offset amount. The
16 information shall include but is not limited to identification
17 of the amount expended for specific services and supports that
18 would otherwise be payable by the county for persons eligible
19 under a county's approved service management plan but ~~are were~~
20 instead paid by the Iowa health and wellness plan. ~~The amount~~
21 ~~calculated for a county shall be subject to review by the~~
22 ~~auditor of that county or subject to independent audit. The~~
23 Medicaid offset amounts calculated for the counties are subject
24 to review by the auditor of state prior to their certification.
25 The Medicaid offset amounts calculated by the department for a
26 county for a fiscal year are not official until certified by
27 the director of human services and submitted to the governor
28 and general assembly by ~~October 15~~ December 1 immediately
29 following the end of the fiscal year for which the offset
30 amounts were calculated.

31 (2) In implementing subparagraph (1), a county's offset
32 amount for the fiscal year beginning July 1, 2013, shall be
33 calculated by first identifying the actual amounts expended
34 from the county's services fund during the base period of July
35 1, 2013, through December 31, 2013, for services and supports

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1 provided to persons who became eligible for the Iowa health
2 and wellness plan during the implementation period of January
3 1, 2014, and June 30, 2014. For purposes of calculating the
4 offset amount, it shall be assumed that the expenditures for
5 the same services and supports provided under the plan during
6 the implementation period are equal to the amount expended by
7 the county for those services and supports for the comparable
8 time during the base period.

9 Sec. 64. 2013 Iowa Acts, chapter 136, section 11, subsection
10 3, paragraph e, is amended to read as follows:

11 e. To be credited to the property tax relief fund created
12 in section 426B.1:

13 (1) FY 2013-2014

14 \$ 7,480,233

15 Of the amount allocated in this subparagraph, up to
16 \$600,000 may be used by the department of human services for
17 distribution to counties for state case services provided
18 in prior fiscal years for persons with mental illness,
19 intellectual disability, or a developmental disability in
20 accordance with section 331.440, Code 2013.

21 (2) FFY 2014-2015

22 \$ 7,480,233

23 Of the amount allocated in this subparagraph, up to
24 \$600,000 may be used by the department of human services for
25 distribution to counties for state case services provided for
26 persons with mental illness, intellectual disability, or a
27 developmental disability in accordance with section 331.440,
28 Code 2013, or in accordance with a dispute resolution process
29 implemented in accordance with section 331.394, subsection 5
30 or 6.

31 DIVISION X

32 FAMILY SUPPLEMENTATION

33 Sec. 65. Section 249A.4, subsection 10, paragraph b,
34 subparagraph (6), Code 2014, is amended to read as follows:

35 (6) Supplementation shall not be applicable if the

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1 facility's occupancy rate is less than ~~eighty~~ fifty percent.

2 DIVISION XI

3 MISCELLANEOUS

4 Sec. 66. Section 217.32, Code 2014, is amended to read as
5 follows:

6 **217.32 Office space in county.**

7 Where the department of human services assigns personnel to
8 an office located in a county for the purpose of performing in
9 that county designated duties and responsibilities assigned by
10 law to the department, it shall be the responsibility of the
11 county to provide and maintain the necessary office space and
12 office supplies and equipment for the personnel so assigned
13 in the same manner as if they were employees of the county.
14 The department shall at least annually, or more frequently if
15 the department so elects, reimburse the county for a portion,
16 designated by law, of the cost of maintaining office space and
17 providing supplies and equipment as required by this section,
18 and also for a similar portion of the cost of providing the
19 necessary office space if in order to do so it is necessary
20 for the county to lease office space outside the courthouse or
21 any other building owned by the county. The portion of the
22 foregoing costs reimbursed to the county under this section
23 shall be equivalent to the proportion of those costs which
24 the federal government authorizes to be paid from available
25 federal funds, unless the general assembly directs otherwise
26 when appropriating funds for support of the department. The
27 department shall annually report to the auditor of state, on
28 or before November 1, detailing for the preceding fiscal year
29 the charges to and costs incurred by each county for office
30 space and for providing supplies and equipment and the amounts
31 reimbursed by the department in accordance with this section.
32 The auditor of state shall analyze the information and publicly
33 issue an opinion as to whether the charges and costs incurred
34 and reimbursement amounts are reasonable, as compared to cost
35 limitations and reimbursement amounts applied by the department

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1 to private providers, to federal cost guidelines, and to other
2 standards identified by the auditor of state.

3 Sec. 67. Section 256I.8, subsection 3, Code 2014, is amended
4 to read as follows:

5 3. An area board shall not be a provider of services to or
6 for the area board except as authorized by a waiver granted
7 by the state board. The state board shall adopt criteria
8 for granting a waiver based upon cost effectiveness, service
9 quality improvement or maintenance, or other appropriate basis
10 identified by the state board.

11 DIVISION XII

12 ASSET VERIFICATION

13 Sec. 68. MEDICAID PROGRAM — ASSET, INCOME, AND IDENTITY
14 VERIFICATION. The department of human services shall contract
15 with a third-party vendor to establish an electronic asset,
16 income, and identity eligibility verification system for the
17 purposes of determining or redetermining the eligibility of
18 an individual who is an applicant for or recipient of medical
19 assistance under the Medicaid state plan on the basis of
20 being aged, blind, or disabled in accordance with 42 U.S.C.
21 §1396w. The third-party vendor shall be able to demonstrate in
22 writing its current relationships or contracts with financial
23 institutions in the state and nationally. Participation by
24 financial institutions in providing account balances for asset
25 verification shall remain voluntary. The department of human
26 services shall submit by September 1, 2014, a progress report
27 to the individuals identified in this 2014 Act for submission
28 of reports.

29 Sec. 69. EFFECTIVE UPON ENACTMENT. This division of this
30 Act, being deemed of immediate importance, takes effect upon
31 enactment.

32 DIVISION XIII

33 INTERDEPARTMENTAL COORDINATION — INDIVIDUALS RELEASED FROM
34 CORRECTIONAL SYSTEM

35 Sec. 70. INTERDEPARTMENTAL COORDINATION — INDIVIDUALS

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1 RELEASED FROM THE CORRECTIONAL SYSTEM.

2 1. The department of human services, the department
3 of public health, and the department of corrections shall
4 implement an interagency collaborative effort to provide an
5 integrated approach to address the medical and psychosocial
6 needs of individuals upon release from a correctional facility.
7 The collaboration shall provide for all of the following:

8 a. Coordination between the departments of policies and
9 procedures to facilitate information sharing, during the
10 prerelease, transitional, and postrelease phases, including the
11 development of protocols to share health and other personal
12 information of an individual between departmental personnel
13 involved in providing the individual's prerelease, transition,
14 and postrelease services and support.

15 b. Cross-disciplinary prerelease preparation that includes
16 application for medical assistance, social security disability,
17 and other supports for which the individual may be eligible;
18 assessment of the holistic clinical and social needs of the
19 individual including but not limited those relating to health
20 and medical care, housing, education and training, employment
21 assistance, and legal assistance; and identification of
22 community-based services and providers necessary to address
23 identified needs, including but not limited those necessary to
24 address mental health and substance-related disorders.

25 c. Transitional and postrelease interagency communication
26 and coordination to ensure a more seamless transition
27 of the individual to the community, ongoing linkages to
28 community-based services, and continuity of care.

29 2. The departments shall submit by December 15, 2014, a
30 report to the individuals identified in this 2014 Act for
31 submission of reports describing the details of the approach
32 developed and implemented, any barriers to the development
33 and implementation, any recommendations for changes in
34 statute or rules to facilitate the approach, and any other
35 recommendations.



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1 DIVISION XIV
2 DEPARTMENTAL RESPONSIBILITY FOR MENTAL HEALTH ADVOCATES
3 Sec. 71. NEW SECTION. 10A.901 **Definitions.**
4 As used in this article, unless the context otherwise
5 requires:
6 1. "Administrator" means the person coordinating the
7 administration of the division.
8 2. "Division" means the mental health advocate division of
9 the department of inspections and appeals.
10 Sec. 72. NEW SECTION. 10A.902 **Duties of administrator.**
11 The administrator shall administer the division's conduct
12 of the mental health advocate program as provided by section
13 229.19 and other applicable law. The person appointed as
14 administrator must meet the qualifications to be appointed as a
15 mental health advocate. The administrator's duties may include
16 but are not limited to all of the following:
17 1. a. Approving the appointment of persons to serve as
18 mental health advocates and identifying qualifications for
19 persons serving as mental health advocates. A mental health
20 advocate serving as of June 30, 2015, shall be deemed to be
21 qualified. The minimum qualifications for a mental health
22 advocate whose initial appointment commences on or after July
23 1, 2015, shall be a bachelor's degree from an accredited
24 school, college, or university in social work, counseling,
25 human services, health, nursing, or psychology, and one year
26 of experience in the provision of mental health services. A
27 person who is a licensed registered nurse pursuant to chapter
28 152 who is current with applicable continuing education
29 requirements shall be deemed to have met the minimum experience
30 requirement.
31 b. The administrator shall contract with the state board of
32 regents to employ persons appointed to serve as mental health
33 advocates.
34 2. Training persons appointed to serve as mental health
35 advocates.



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1 3. Implementing procedures for the responsibilities
2 performed by persons appointed to serve as mental health
3 advocates and for reassigning advocate responsibilities based
4 on the location of the patient's placement or other patient
5 need. The court shall be notified of any reassignment. The
6 procedures for appointing a person to a vacant mental health
7 advocate position assigned to a geographic area shall require
8 the person appointed to the vacant position to reside within
9 the assigned geographic area.

10 4. Administering program additions and expansions,
11 including providing advocate services for persons with a
12 substance-related disorder and persons found not guilty
13 by reason of insanity, if such additions or expansions are
14 authorized and funded.

15 5. Developing and implementing a case weight system for use
16 in appointing and compensating advocates.

17 6. Administering case reviews and audits.

18 7. Implementing a uniform description of the duties
19 of mental health advocates, based upon the best practices
20 developed and promulgated by the judicial council pursuant to
21 section 229.19, subsection 1, paragraph "c".

22 Sec. 73. TRANSITION.

23 1. The department of inspections and appeals shall commence
24 organizational activities during the fiscal year beginning July
25 1, 2014, as necessary to fully implement this division and
26 assume responsibility for mental health advocates as provided
27 in this division and division II of this Act on July 1, 2015.

28 2. If necessary for the purposes of subsection 1, the
29 department of inspections and appeals may adopt emergency
30 rules under section 17A.4, subsection 3, and section 17A.5,
31 subsection 2, paragraph "b", to implement the provisions of
32 division II of this Act on July 1, 2015, and the rules shall
33 be effective immediately upon filing unless a later date is
34 specified in the rules. Any rules adopted in accordance with
35 this section shall also be published as a notice of intended

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1 action as provided in section 17A.4.

2 DIVISION XV

3 IMPLEMENTATION — MENTAL HEALTH ADVOCATES

4 Sec. 74. Section 225C.4, subsection 1, paragraph m, Code
5 2014, is amended to read as follows:

6 *m.* Provide consultation and technical assistance to
7 ~~patients'~~ mental health advocates appointed pursuant to
8 section 229.19, in cooperation with the judicial branch and the
9 department of inspections and appeals, and to the certified
10 volunteer long-term care ombudsmen certified pursuant to
11 section 231.45.

12 Sec. 75. Section 226.31, Code 2014, is amended to read as
13 follows:

14 **226.31 Examination by court — notice.**

15 Before granting the order authorized in section 226.30
16 the court or judge shall investigate the allegations of the
17 petition and before proceeding to a hearing on the allegations
18 shall require notice to be served on the attorney who
19 represented the patient in any prior proceedings under sections
20 229.6 to 229.15 ~~or the~~ and to any mental health advocate
21 appointed for the patient under section 229.19, or in the case
22 of a patient who entered the hospital voluntarily, on any
23 relative, friend, or guardian of the person in question of the
24 filing of the application. At the hearing the court or judge
25 shall appoint a guardian ad litem for the person, if the court
26 or judge deems such action necessary to protect the rights
27 of the person. The guardian ad litem shall be a practicing
28 attorney.

29 Sec. 76. Section 229.2, subsection 1, paragraph b,
30 subparagraph (6), Code 2014, is amended to read as follows:

31 (6) Upon approval of the admission of a minor over the
32 minor's objections, the juvenile court shall appoint an
33 individual to act as an advocate representing the interests
34 of the minor in the same manner as ~~an~~ a mental health
35 advocate representing the interests of patients involuntarily

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1 hospitalized ~~pursuant to~~ in accordance with section 229.19.

2 Sec. 77. Section 229.9A, Code 2014, is amended to read as
3 follows:

4 **229.9A Advocate** Mental health advocate informed — hearings.

5 The court shall direct the clerk to furnish the mental health
6 ~~advocate of the respondent's county of residence~~ designated for
7 the court by the department of inspections and appeals with a
8 copy of application and any order issued pursuant to section
9 229.8, subsection 3. The mental health advocate designated for
10 the court may attend ~~the hospitalization~~ any court hearing of
11 any involving the respondent for whom the advocate has received
12 ~~notice of a hospitalization hearing.~~

13 Sec. 78. Section 229.12, subsection 2, Code 2014, is amended
14 to read as follows:

15 2. All persons not necessary for the conduct of the
16 proceeding shall be excluded, except that the court may admit
17 persons having a legitimate interest in the proceeding and
18 shall permit the mental health advocate from the respondent's
19 ~~county of residence~~ designated for the court by the department
20 of inspections and appeals to attend the hearing. Upon motion
21 of the county attorney, the judge may exclude the respondent
22 from the hearing during the testimony of any particular witness
23 if the judge determines that witness's testimony is likely to
24 cause the respondent severe emotional trauma.

25 Sec. 79. Section 229.14A, subsection 1, Code 2014, is
26 amended to read as follows:

27 1. With respect to a chief medical officer's report made
28 pursuant to section 229.14, subsection 1, paragraph "b", "c",
29 or "d", or any other provision of this chapter related to
30 involuntary commitment for which the court issues a placement
31 order or a transfer of placement is authorized, the court shall
32 provide notice to the respondent, ~~and~~ the respondent's attorney
33 ~~or~~, and any mental health advocate appointed for the respondent
34 pursuant to section 229.19 concerning the placement order
35 and the respondent's right to request a placement hearing to

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1 determine if the order for placement or transfer of placement
2 is appropriate.

3 Sec. 80. Section 229.14A, subsection 5, paragraph c, Code
4 2014, is amended to read as follows:

5 c. If the respondent's attorney has withdrawn pursuant to
6 ~~section 229.19~~, the court shall appoint an attorney for the
7 respondent in the manner described in section 229.8, subsection
8 1.

9 Sec. 81. Section 229.15, subsection 6, Code 2014, is amended
10 to read as follows:

11 6. Upon receipt of any report required or authorized by
12 this section the court shall furnish a copy to the patient's
13 attorney, ~~or alternatively~~ and to the mental health advocate
14 ~~appointed as required by section 229.19 for the patient~~. The
15 court shall examine the report and take the action thereon
16 which it deems appropriate. Should the court fail to receive
17 any report required by this section or section 229.14 at the
18 time the report is due, the court shall investigate the reason
19 for the failure to report and take whatever action may be
20 necessary in the matter.

21 Sec. 82. Section 229.19, Code 2014, is amended to read as
22 follows:

23 **229.19 Advocates Mental health advocates — duties —**
24 **~~compensation — state and county liability.~~**

25 1. a. ~~In each county with a population of three hundred~~
26 ~~thousand or more inhabitants the board of supervisors shall~~
27 ~~appoint an individual who has demonstrated by prior activities~~
28 ~~an informed concern for the welfare and rehabilitation of~~
29 ~~persons with mental illness, and who is not an officer or~~
30 ~~employee of the department of human services nor of any agency~~
31 ~~or facility providing care or treatment to persons with mental~~
32 ~~illness, to act as an advocate representing the interests of~~
33 ~~patients involuntarily hospitalized by the court, in any matter~~
34 ~~relating to the patients' hospitalization or treatment under~~
35 ~~section 229.14 or 229.15. In each county with a population of~~

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1 ~~under three hundred thousand inhabitants, the chief judge of~~
2 ~~the judicial district encompassing the county shall appoint~~
3 ~~the advocate. For the purposes of this section, "division"~~
4 ~~means the mental health advocate division of the department of~~
5 ~~inspections and appeals.~~

6 ~~b. The court or, if the advocate is appointed by the county~~
7 ~~board of supervisors, the board shall assign the advocate~~
8 ~~appointed from a patient's county of residence to represent~~
9 ~~the interests of the patient. If a patient has no county of~~
10 ~~residence or the patient is a state case, the court or, if the~~
11 ~~advocate is appointed by the county board of supervisors, the~~
12 ~~board shall assign the advocate appointed from the county where~~
13 ~~the hospital or facility is located to represent the interests~~
14 ~~of the patient.~~

15 ~~c. The advocate's responsibility with respect to any patient~~
16 ~~shall begin at whatever time the attorney employed or appointed~~
17 ~~to represent that patient as respondent in hospitalization~~
18 ~~proceedings, conducted under sections 229.6 to 229.13, reports~~
19 ~~to the court that the attorney's services are no longer~~
20 ~~required and requests the court's approval to withdraw as~~
21 ~~counsel for that patient. However, if~~

22 ~~b. If the patient is found to be seriously mentally impaired~~
23 ~~at the hospitalization hearing, the attorney representing the~~
24 ~~patient shall automatically be relieved of responsibility in~~
25 ~~the case and an a mental health advocate shall be assigned to~~
26 ~~appointed for the patient at the conclusion of the hearing~~
27 ~~unless the attorney indicates an intent to continue the~~
28 ~~attorney's services and. The court shall notify the division~~
29 ~~of the court's finding and the division shall appoint an~~
30 ~~advocate for the patient. The advocate's responsibility with~~
31 ~~respect to a patient shall begin when the advocate is appointed~~
32 ~~for the patient. The attorney representing the patient shall~~
33 ~~automatically be relieved of responsibility at the conclusion~~
34 ~~of the hearing unless the attorney requests to continue~~
35 ~~representation and the court so directs authorizes the attorney~~

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1 to remain on the case. If the court directs the attorney to
2 remain on the case, the attorney shall ~~assume all the duties~~
3 ~~of an advocate~~ cooperate with the advocate appointed for the
4 patient. The clerk shall furnish the advocate with a copy of
5 the court's order approving the withdrawal or continuation of
6 the attorney and shall inform the patient of the name of the
7 patient's advocate.
8 ~~d. c.~~ With regard to each patient ~~whose interests the~~
9 for whom a mental health advocate is required to represent
10 appointed pursuant to this section, the advocate's duties shall
11 include all of the following:
12 (1) To review each report submitted pursuant to sections
13 229.14 and 229.15.
14 (2) ~~If the advocate is not an attorney, to~~ To advise the
15 court at any time it appears that the services of an attorney
16 are required to properly safeguard the patient's interests.
17 (3) To be readily accessible to communications from the
18 patient and to originate communications with the patient within
19 five days of the patient's commitment.
20 (4) To visit the patient within fifteen days of the
21 patient's commitment and periodically thereafter.
22 (5) To communicate with medical personnel treating the
23 patient and to review the patient's medical records pursuant
24 to section 229.25.
25 (6) To file with the court and the division quarterly
26 reports, and additional reports as the advocate feels necessary
27 or as required by the ~~court~~ division, in a form prescribed by
28 the ~~court~~ division. The reports shall state what actions the
29 advocate has taken with respect to each patient and the amount
30 of time spent.
31 (7) To utilize the related best practices for the duties
32 identified in this paragraph ~~"d"~~ "c" developed and promulgated
33 by the judicial council.
34 ~~e. d.~~ Subject to the availability of funding
35 appropriated for this purpose, a mental health advocate may



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1 also be appointed pursuant to this section for an individual
2 who has been diagnosed with a co-occurring mental illness and
3 substance-related disorder.

4 2. The hospital or facility to which a patient is committed
5 shall grant all reasonable requests of the patient's mental
6 health advocate to visit the patient, to communicate with
7 medical personnel treating the patient, and to review the
8 patient's medical records pursuant to section 229.25. An
9 advocate shall not disseminate information from a patient's
10 medical records to any other person unless done for official
11 purposes in connection with the advocate's duties pursuant to
12 this chapter or when required by law.

13 3. ~~The court or, if the advocate is appointed by the county~~
14 ~~board of supervisors, the board~~ division shall prescribe
15 provide reasonable compensation for the services of the
16 advocate in accordance with section 10A.902. ~~The compensation~~
17 ~~shall be based upon the reports filed by the advocate with~~
18 ~~the court. The advocate's compensation shall be paid by the~~
19 ~~county in which the court is located, either on order of the~~
20 ~~court or, if the advocate is appointed by the county board of~~
21 ~~supervisors, on the direction of the board. If the advocate~~
22 ~~is appointed by the court, the advocate is an employee of~~
23 ~~the state for purposes of chapter 669. If the advocate is~~
24 ~~appointed by the county board of supervisors, the advocate is~~
25 ~~an employee of the county for purposes of chapter 670. If the~~
26 ~~patient or the person who is legally liable for the patient's~~
27 ~~support is not indigent, the board~~ division shall recover
28 the costs of compensating the advocate from that person. If
29 ~~that person has an income level as determined pursuant to~~
30 ~~section 815.9 greater than one hundred percent but not more~~
31 ~~than one hundred fifty percent of the poverty guidelines,~~
32 ~~at least one hundred dollars of the advocate's compensation~~
33 ~~shall be recovered in the manner prescribed by the county~~
34 ~~board of supervisors. If that person has an income level as~~
35 ~~determined pursuant to section 815.9 greater than one hundred~~

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~~1 fifty percent of the poverty guidelines, at least two hundred
2 dollars of the advocate's compensation shall be recovered in
3 substantially the same manner prescribed by the county board of
4 supervisors as provided in section 815.9.~~

5 Sec. 83. Section 229.25, subsection 1, paragraph a,
6 subparagraph (1), Code 2014, is amended to read as follows:

7 (1) The information is requested by a licensed physician,
8 attorney, or the mental health advocate who provides appointed
9 for the person. The requester must provide the chief medical
10 officer with a written waiver signed by the person about whom
11 the information is sought.

12 Sec. 84. APPOINTMENT OF MENTAL HEALTH ADVOCATES. The
13 persons appointed to provide mental health advocate services
14 under section 229.19 immediately prior to July 1, 2015, shall
15 be appointed as mental health advocates pursuant to section
16 10A.902, effective July 1, 2015.

17 Sec. 85. EFFECTIVE DATE. This division of this Act takes
18 effect July 1, 2015.

19 DIVISION XVI

20 PRIOR AUTHORIZATION

21 Sec. 86. NEW SECTION. 505.26 Prior authorization for
22 prescription drug benefits — standard process and form.

23 1. As used in this section:

24 a. "Facility" means an institution providing health care
25 services or a health care setting, including but not limited
26 to hospitals and other licensed inpatient centers, ambulatory
27 surgical or treatment centers, skilled nursing centers,
28 residential treatment centers, diagnostic, laboratory, and
29 imaging centers, and rehabilitation and other therapeutic
30 health settings.

31 b. "Health benefit plan" means a policy, contract,
32 certificate, or agreement offered or issued by a health carrier
33 to provide, deliver, arrange for, pay for, or reimburse any of
34 the costs of health care services.

35 c. "Health care professional" means a physician or other

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1 health care practitioner licensed, accredited, registered, or
2 certified to perform specified health care services consistent
3 with state law.

4 *d. "Health care provider"* means a health care professional
5 or a facility.

6 *e. "Health care services"* means services for the diagnosis,
7 prevention, treatment, cure, or relief of a health condition,
8 illness, injury, or disease.

9 *f. "Health carrier"* means an entity subject to the insurance
10 laws of this state, or subject to the jurisdiction of the
11 commissioner, including an insurance company offering sickness
12 and accident plans, a health maintenance organization, a
13 nonprofit health service corporation, a plan established
14 pursuant to chapter 509A for public employees, or any other
15 entity providing a plan of health insurance, health care
16 benefits, or health care services. *"Health carrier"* includes,
17 for purposes of this section, an organized delivery system.

18 *g. "Pharmacy benefits manager"* means the same as defined in
19 section 510B.1.

20 2. The commissioner shall develop, by rule, a standard prior
21 authorization process and form for use by health carriers and
22 pharmacy benefits managers that require prior authorization for
23 prescription drug benefits pursuant to a health benefit plan,
24 by January 1, 2015.

25 3. Prior to development of the standard prior authorization
26 process and form, the commissioner shall hold at least one
27 public hearing to gather input in developing the standard
28 process and form from interested parties.

29 4. The standard prior authorization process shall meet all
30 of the following requirements:

31 *a.* Health carriers and pharmacy benefits managers shall
32 allow health care providers to submit a prior authorization
33 request electronically.

34 *b.* Health carriers and pharmacy benefits managers shall
35 provide that approval of a prior authorization request shall be

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1 valid for a minimum of one hundred eighty days.

2 *c.* Health carriers and pharmacy benefits managers shall
3 ensure that the prior authorization process allows a health
4 carrier or pharmacy benefits manager to substitute a generic
5 drug for a previously approved brand-name drug with the health
6 care provider's approval and the patient's consent.

7 *d.* Health carriers and pharmacy benefits managers shall make
8 the following available and accessible on their internet sites:

9 (1) Prior authorization requirements and restrictions,
10 including a list of drugs that require prior authorization.

11 (2) Clinical criteria that are easily understandable
12 to health care providers, including clinical criteria for
13 reauthorization of a previously approved drug after the prior
14 authorization period has expired.

15 (3) Standards for submitting and considering requests,
16 including evidence-based guidelines, when possible, for making
17 prior authorization determinations.

18 *e.* Health carriers and pharmacy benefits managers shall
19 provide a process for health care providers to appeal a prior
20 authorization determination.

21 5. In adopting an electronic prior authorization standard,
22 the commissioner shall consider national standards pertaining
23 to electronic prior authorization, such as those developed by
24 the national council for prescription drug programs.

25 6. The standard prior authorization form shall meet all of
26 the following requirements:

27 *a.* Not exceed two pages in length.

28 *b.* Be available in an electronic format.

29 *c.* Be transmissible in an electronic format.

30 7. Health carriers and pharmacy benefits managers shall use
31 and accept the standard prior authorization form beginning on
32 July 1, 2015. Health care providers shall use and submit the
33 standard prior authorization form, when prior authorization is
34 required by a health benefit plan, beginning on July 1, 2015.

35 8. *a.* If a health carrier or pharmacy benefits manager

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1 fails to use or accept the standard prior authorization form
2 or to respond to a health care provider's request for prior
3 authorization of prescription drug benefits within seventy-two
4 hours of the health care provider's submission of the form,
5 the request for prior authorization shall be considered to be
6 approved.

7 *b.* However, if the prior authorization request is
8 incomplete, the health carrier or pharmacy benefits manager may
9 request the additional information within the seventy-two-hour
10 period and once the additional information is provided the
11 provisions of paragraph "a" shall again apply.

12 EXPLANATION

13 The inclusion of this explanation does not constitute agreement with
14 the explanation's substance by the members of the general assembly.

15 This bill relates to appropriations for health and human
16 services made in 2013 Iowa Acts, chapter 138 (SF 446) for
17 fiscal year 2014-2015 to the department of veterans affairs,
18 the Iowa veterans home, the department on aging, the office
19 of long-term care ombudsman, the department of public health,
20 Iowa finance authority, state board of regents, department of
21 inspections and appeals, department of human rights, and the
22 department of human services (DHS). With some exceptions the
23 enacted amounts appropriated for FY 2014-2015 are approximately
24 50 percent of the amounts appropriated for the same purposes
25 for the prior fiscal year along with some other changes. The
26 bill revises the appropriation amounts.

27 The bill is organized into divisions.

28 DEPARTMENT ON AGING — FY 2014-2015. This division amends
29 appropriations from the general fund of the state for the
30 department on aging for FY 2014-2015.

31 OFFICE OF LONG-TERM CARE OMBUDSMAN — FY 2014-2015. This
32 division amends appropriations from the general fund of
33 the state for the office of long-term care ombudsman for FY
34 2014-2015.

35 DEPARTMENT OF PUBLIC HEALTH — FY 2014-2015. This division

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1 amends appropriations from the general fund of the state for
2 the department of public health.

3 DEPARTMENT OF VETERANS AFFAIRS — FY 2014-2015. This
4 division amends appropriations from the general fund of the
5 state for the department of veterans affairs and the Iowa
6 veterans home for FY 2014-2015.

7 DEPARTMENT OF HUMAN SERVICES — FY 2014-2015. This division
8 amends appropriations from the general fund of the state and
9 the federal temporary assistance for needy families block grant
10 to DHS. The reimbursement section addresses reimbursement for
11 providers reimbursed by the department of human services.

12 HEALTH CARE ACCOUNTS AND FUND — FY 2014-2015. This division
13 amends certain health-related appropriations for FY 2014-2015.
14 A number of the appropriations are made for purposes of the
15 medical assistance (Medicaid) program in addition to the
16 general fund appropriations made for this purpose for the same
17 fiscal year. The division provides that if the total amounts
18 appropriated from all sources for the medicaid program for
19 FY 2014-2015 exceed the amount needed, the excess remains
20 available to be used for the program in the succeeding fiscal
21 year.

22 PERSONNEL SETTLEMENT AGREEMENTS. This division provides
23 that as a condition of the appropriations in the bill, the
24 moneys appropriated and any other moneys available cannot be
25 used for payment of a personnel settlement agreement that
26 contains a confidentiality provision intended to prevent public
27 disclosure of the agreement or any terms of the agreement.

28 PRIOR YEAR APPROPRIATIONS. This division amends provisions
29 from prior year appropriations.

30 The division amends a provision appropriating funds to
31 the medical residency training account to provide that
32 notwithstanding any provision to the contrary under the
33 account, priority in awarding of grants shall be given to the
34 development of new medical residency positions, psychiatric
35 residency positions, and family practice residency positions.



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1 The division repeals a provision which authorized a change
2 in Medicaid reimbursement of consumer-directed attendant care
3 as a cost-savings measure.

4 The division amends provisions appropriating funds for
5 the autism support program and for foster care respite to
6 provide for carry forward of funds that remain unencumbered
7 or unobligated at the close of FY 2013-2014 to the succeeding
8 fiscal year for the purposes designated.

9 The division amends a provision relating to reimbursement of
10 community mental health centers to provide a new reimbursement
11 methodology.

12 The provisions in this division take effect upon enactment
13 and the provisions relating to reimbursement of community
14 mental health centers and consumer-directed attendant care are
15 retroactively applicable to July 1, 2013.

16 MENTAL HEALTH AND DISABILITY SERVICES. This division
17 relates to mental health and disabilities services (MH/DS)
18 administered by county regions, makes appropriations, and
19 extends county levy equalization provisions for the services.

20 A new general fund transfer is made to the property tax
21 relief fund and then appropriated for FY 2014-2015 for
22 distribution to counties and regions to equalize the funding in
23 order for the combined amount of property tax and equalization
24 funding available for MH/DS to amount to \$47.28 per capita. In
25 addition, an appropriation is made for distribution of state
26 case funding to counties.

27 The department of human services and the division of
28 vocational rehabilitation services of the department of
29 education are required to jointly develop protocols and program
30 models to integrate the employment-related services and other
31 supports provided to persons with disabilities through federal
32 match funding administered by the department and the division.
33 The department and the division are required to report to the
34 joint appropriations subcommittees on health and human services
35 and on education on the expenditure of such funding in the

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1 previous fiscal year along with findings and recommendations
2 on or before December 15, 2014.

3 The department of human services is required to continue
4 and expand a previous study regarding the possible development
5 of a psychiatric and substance-related disorder treatment
6 hospital bed tracking system. The study group is required to
7 identify options for implementing a bed tracking system in the
8 fiscal year beginning July 1, 2015, and include a detailed
9 proposal for the option preferred by the study group. In
10 addition, the department is required to engage with various
11 stakeholders to study community-based placement options for
12 persons with serious mental illness to divert from or end the
13 need for an institutional placement of the persons and to make
14 recommendations.

15 Code section 331.388, relating to definitions for the
16 regional MH/DS system and Code section 426B.3, relating to
17 property tax relief fund payments, are amended to revise
18 population definitions. The definitions require the use of
19 the population shown by the latest preceding certified federal
20 census or the latest applicable population estimate issued by
21 the United States census bureau, whichever is most recent. The
22 bill provides that the date utilized is July 1 of the fiscal
23 year preceding the fiscal year in which the population figure
24 is applied.

25 Code section 331.391, relating to MH/DS regional financing,
26 is amended to require that if a region is meeting the financial
27 obligations for implementation of its regional service system
28 management plan for a fiscal year and residual funding is
29 anticipated, the regional administrator is to reserve an
30 adequate amount for cash flow of expenditure obligations in the
31 next fiscal year. The amount reserved for cash flow is limited
32 to 25 percent of the previous fiscal year's gross expenditures.
33 Residual funding remaining after the cash flow amount is
34 reserved is to be used to expand the region's core services and
35 then to make additional core service domains available in the



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1 region.

2 Code section 331.397, relating to regional core services
3 for the adult mental health and disability services system,
4 is amended. Code section 331.397 lists core service domains
5 that the mental health and disability service regions are
6 required to make available to adults with mental illness or
7 an intellectual disability. Under each of the domains is a
8 list of services included in the domain. The bill requires
9 the service domain relating to support for employment to
10 also authorize support for activities leading to employment
11 providing an appropriate match with an individual's abilities.

12 Code section 331.424, relating to the county levy for MH/DS,
13 and Code section 331.391, relating to regional finances, are
14 amended to provide that a county and the regions must reserve
15 an adequate amount for cash flow purposes in the next fiscal
16 year. Residual funding remaining after the cash flow amount
17 is reserved is to be used to expand core services and then to
18 make additional core services available. The maximum cash
19 flow reserve is limited to 25 percent of the gross expenditure
20 budgeted for the fiscal year.

21 Code section 426B.3, relating to per capita funding for
22 county services funds and the Medicaid offset or "clawback",
23 is amended. Under the clawback requirement in Code section
24 426B.3, DHS is required to calculate the amount that would have
25 been paid from a county services fund for a person eligible
26 under the county's services plan that would be non-Medicaid
27 services but due to the person's enrollment under the Iowa
28 health and wellness plan (IHWP) are instead covered by IHWP.
29 The Medicaid offset or clawback amount is 80 percent of the
30 amount calculated. Authority for a county auditor to review
31 the amount calculated for a county or for the amount to
32 be independently audited is replaced with authority for an
33 independent review of all amounts by the auditor of state.

34 Direction is provided for the calculation of the clawback
35 amounts for fiscal year 2013-2014 to be based upon actual

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1 expenditures by counties during the period of July 1, 2013,
2 through December 31, 2013.

3 The appropriation of federal social services block grant
4 funding for FY 2014-2015 in 2013 Iowa Acts, chapter 136 (HF
5 614), to the property tax relief fund is amended to make an
6 allocation to DHS for state case services similar to the
7 allocation made for this purpose for the prior fiscal year.

8 FAMILY SUPPLEMENTATION. This division amends Code section
9 249A.4, relating to supplementation by the resident or family
10 of a resident who is covered by the Medicaid program of the
11 costs of nursing care by reducing the occupancy rate of the
12 nursing facility from 80 percent to 50 percent in order for
13 supplementation to be applicable.

14 MISCELLANEOUS. This division includes miscellaneous
15 provisions.

16 Code section 217.32, relating to office space provided by
17 counties for department of human services personnel assigned
18 to provide local services, is amended. The department is
19 required to report annually to the auditor of state detailing
20 the costs incurred by each county for office space and for
21 providing supplies and equipment and the amounts reimbursed by
22 the department in the preceding fiscal year. The auditor of
23 state is required to publicly issue an opinion as to whether
24 the charges and costs incurred and departmental reimbursements
25 are reasonable.

26 Code section 256I.8, relating to the duties of early
27 childhood Iowa area boards, is amended to authorize the early
28 childhood Iowa state board to waive a prohibition against an
29 area board acting as a provider of services to or for the
30 area board. The state board is required to adopt criteria
31 for granting a waiver based upon cost effectiveness, service
32 quality improvement or maintenance, or other appropriate basis
33 identified by the state board.

34 ASSET VERIFICATION. This division directs the department
35 of human services to contract with a third-party vendor to

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1 establish an electronic asset, income, and identity eligibility
2 verification system for applicants for and recipients of
3 Medicaid who are eligible based upon being aged, blind,
4 or disabled. The third-party vendor must demonstrate in
5 writing its current relationships or contracts with financial
6 institutions in the state and nationally. Participation
7 by financial institutions in providing account balances is
8 voluntary. DHS is to submit a progress report to certain
9 legislators by September 1, 2014. The division takes effect
10 upon enactment.

11 INTERDEPARTMENTAL COORDINATION FOR INDIVIDUALS RELEASED
12 FROM THE CORRECTIONAL SYSTEM. This division directs the
13 departments of human services, public health, and corrections
14 to implement an interagency collaborative effort to provide an
15 integrated approach to address the medical and psychosocial
16 needs of individuals upon release from a correctional facility.
17 The departments are directed to submit by December 15, 2014,
18 a report to certain legislators describing the details of
19 the approach developed and implemented, any barriers to the
20 development and implementation, any recommendations for changes
21 in statute or rules to facilitate the approach, and any other
22 recommendations.

23 DEPARTMENTAL RESPONSIBILITY FOR MENTAL HEALTH ADVOCATES.
24 This division establishes an office of mental health advocate
25 in the department of inspections and appeals and specifies
26 duties for the administrator of the office. The department is
27 required to contract with the state board of regents to employ
28 the persons appointed to serve as mental health advocates.
29 A transition provision directs the department to commence
30 organizational activities during FY 2014-2015 as necessary
31 to fully implement the new departmental office and all of
32 the bill's related substantive provisions on July 1, 2015.
33 The department is granted emergency rulemaking authority if
34 necessary to achieve the implementation date.

35 This division takes effect July 1, 2014.



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1 IMPLEMENTATION — MENTAL HEALTH ADVOCATES. This division
2 provides for implementation of the change in administration
3 of the mental health advocates on July 1, 2015, including
4 conforming changes to various Code sections.
5 Code section 225C.4, relating to the duties of the
6 administrator of the mental health and disability services
7 division of the department of human services, is amended
8 to correct a reference to mental health advocates and to
9 include the department of human rights in a duty for providing
10 consultation and technical assistance to advocates.
11 Code section 226.31, relating to an application for a court
12 order for transfer of a dangerous patient from a state mental
13 health institute, is amended to correct a reference to the
14 advocate to be included in a notice of a hearing.
15 Code section 229.2, relating to admissions of juvenile
16 mental health patients, is amended to correct a reference to
17 the appointment of a mental health advocate for juveniles
18 involuntarily committed.
19 Code section 229.9A, relating to requirements for the clerk
20 of court to notify a mental health advocate of application and
21 order information, is amended to correct a reference to the
22 advocate and to authorize the advocate to attend any court
23 hearing involving the respondent.
24 Code section 229.12, relating to the procedure for
25 hospitalization hearings, is amended to correct a reference to
26 the advocate.
27 Code section 229.14A, relating to notice requirements for
28 involuntary commitment placement orders and transfers, is
29 amended to correct a reference to the advocate and to eliminate
30 a reference to a procedure for withdrawal of an attorney that
31 is revised by the bill.
32 Code section 229.15, relating to the periodic reports
33 required when hospitalization of a patient is continued by
34 court order, is amended to require the report to be provided to
35 the advocate.



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1 Code section 229.19, the primary Code provision for
2 mental health advocates, is extensively revised to insert
3 the department of inspections and appeals' new mental health
4 advocate division in place of the counties. The court is
5 required to notify the office when a patient is found to be
6 seriously mentally impaired and the office is required to
7 appoint the advocate. A procedure for continuation of the
8 respondent's attorney when a patient is found to be seriously
9 mentally impaired is revised to require the attorney to
10 cooperate with the patient's advocate instead of assuming the
11 duties of an advocate. Responsibility for compensation of
12 the mental health advocate is shifted to the division and the
13 division is required to recover the costs of the mental health
14 advocate if the person is not indigent.

15 Code section 229.25, relating to exceptions for release of
16 medical records maintained by a hospital or other treatment
17 facility, is amended to correct a reference to the advocate
18 regarding the release of the records to the advocate when the
19 patient has signed a waiver.

20 The bill includes a provision providing for the appointment
21 on July 1, 2015, of the persons serving as mental health
22 advocates immediately prior to that date.

23 This division takes effect July 1, 2015.

24 PRIOR AUTHORIZATION. This division, in new Code section
25 505.26, requires the development and use of a standard process
26 and form to obtain prior authorization for prescription drug
27 benefits under a health benefit plan. The division provides
28 definitions and requires the commissioner of insurance to
29 develop, by rule, a standard process and form by January 1,
30 2015. Before developing the process and form, the commissioner
31 is required to hold at least one public hearing to obtain input
32 from interested parties. The form must not exceed two pages in
33 length and must be available and transmissible in an electronic
34 format.



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House Resolution 124 - Introduced

HOUSE RESOLUTION NO. 124

BY HEDDENS, WESSEL-KROESCHELL, THOMAS, WOOD, KELLEY,
DOLECHECK, BYRNES, KOESTER, FISHER, LANDON,
HUNTER, R. OLSON, S. OLSON, FORBES, DAWSON,
MURPHY, WINCKLER, ABDUL-SAMAD, KRESSIG, STUTSMAN,
HEARTSILL, STECKMAN, ISENHART, MEYER, RUFF,
BEARINGER, OLDSON, H. MILLER, STAED, LYKAM, HALL,
M. SMITH, SHEETS, GASKILL, RIDING, OURTH, DRAKE,
T. TAYLOR, GASSMAN, HUSEMAN, HEIN, HESS, DEYOE, and
KEARNS

1 A Resolution honoring the Iowa State University men's
2 basketball team.

3 WHEREAS, the Ides of March take on new meaning
4 since the Iowa State University men's basketball team,
5 the Cyclones, have won their second Big 12 Conference
6 Tournament Championship; and

7 WHEREAS, the 16th-ranked Cyclones won this year's
8 championship with wins over Kansas State University and
9 the University of Kansas, and finally with a 74-65 win
10 over Baylor University; and

11 WHEREAS, in the championship game the Cyclones
12 demonstrated determination and tenacity, winning a
13 come-from-behind victory in the last seven minutes of
14 the game; and

15 WHEREAS, teammates DeAndre Kane, Georges Niang,
16 Naz Long, Dustin Hogue, and Big 12 player of the year
17 Melvin Ejim all scored in double digits to clinch the
18 win; and

19 WHEREAS, fourth-year Head Coach Fred Hoiberg
20 dedicated the win to Johnny Orr, the iconic former

LSB 6188HH (5) 85

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1 coach who passed away in 2013; and

2 WHEREAS, the Cyclones ended the season in high
3 style, with a third-straight NCAA tournament appearance
4 capped by a Sweet 16 appearance, just the fourth
5 in Iowa State history and the first since 2000; NOW
6 THEREFORE,

7 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That
8 the House of Representatives congratulates Head Coach
9 Fred Hoiberg, other members of the Cyclones coaching
10 staff, and the members of the 2013-2014 Iowa State
11 University men's basketball team for a brilliant season
12 that culminated in the Big 12 Conference Tournament
13 Championship.

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House Study Bill 686 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON SANDS)

A BILL FOR

1 An Act creating an individual income tax credit for qualified
2 adoption expenses paid or incurred in connection with
3 certain adoptions and including retroactive applicability
4 provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6200YC (3) 85
mm/sc



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1 Section 1. NEW SECTION. 422.12A Adoption tax credit.

2 1. For purposes of this section, unless the context
3 otherwise requires:

4 a. "Adoption" means the permanent placement in this
5 state of a child by the department of human services, by a
6 licensed agency under chapter 238, by an agency that meets the
7 provisions of the interstate compact in section 232.158, or
8 by a person making an independent placement according to the
9 provisions of chapter 600.

10 b. "Child" means an individual who is under the age of
11 eighteen years.

12 c. "Qualified adoption expenses" means unreimbursed expenses
13 paid or incurred in connection with the adoption of a child,
14 including medical and hospital expenses of the biological
15 mother which are incident to the child's birth, welfare agency
16 fees, legal fees, and all other fees and costs which relate to
17 the adoption of a child. "Qualified adoption expenses" does
18 not include expenses paid or incurred in violation of state or
19 federal law.

20 2. The taxes imposed under this division, less the credits
21 allowed under section 422.12, shall be reduced by an adoption
22 tax credit equal to the amount of qualified adoption expenses
23 paid or incurred by the taxpayer during the tax year in
24 connection with the adoption of a child by the taxpayer, not to
25 exceed two thousand five hundred dollars per adoption.

26 3. Any credit in excess of the tax liability is refundable.
27 In lieu of claiming a refund, the taxpayer may elect to have
28 the overpayment shown on the taxpayer's final, completed return
29 credited to the tax liability for the following tax year.

30 4. The department of revenue and the department of human
31 services shall each adopt rules to jointly administer this
32 section.

33 Sec. 2. Section 422.9, subsection 2, paragraph c, Code 2014,
34 is amended to read as follows:

35 c. Add the amount by which expenses paid or incurred

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1 in connection with the adoption of a child by the taxpayer
2 exceed three percent of the net income of the taxpayer, or of
3 the taxpayer and spouse in the case of a joint return. The
4 expenses may include medical and hospital expenses of the
5 biological mother which are incident to the child's birth and
6 are paid by the taxpayer, welfare agency fees, legal fees, and
7 all other fees and costs relating to the adoption of a child if
8 the child is placed by a child-placing agency licensed under
9 chapter 238 or by a person making an independent placement
10 according to the provisions of chapter 600. If the taxpayer
11 claims an adoption tax credit under section 422.12A, the
12 taxpayer shall recompute for purposes of this subsection the
13 amount of the deduction by excluding the amount of qualified
14 adoption expenses, as defined in section 422.12A, used in
15 computing the adoption tax credit.

16 Sec. 3. RETROACTIVE APPLICABILITY. This Act applies
17 retroactively to January 1, 2014, for tax years beginning on
18 or after that date.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill provides an individual income tax credit equal to
23 the amount of qualified adoption expenses paid or incurred by a
24 taxpayer during the tax year in connection with the adoption of
25 a child, which is defined in the bill as an individual who is
26 under the age of 18 years. The tax credit cannot exceed \$2,500
27 per adoption.

28 The adoption of a child qualifies for the tax credit if the
29 adoption is completed by the department of human services,
30 a child-placing agency licensed under Code chapter 238, an
31 agency complying with the interstate compact on placement of
32 children in Code section 232.158, or a person petitioning for
33 an independent placement according to the provisions of Code
34 chapter 600.

35 In order to be "qualified adoption expenses" the expenses

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1 must be paid or incurred by the taxpayer during the tax year,
2 unreimbursed, and connected with the adoption. "Qualified
3 adoption expenses" include medical and hospital expenses of
4 the biological mother which are incident to the birth of
5 the adopted child, welfare agency and legal fees, and all
6 other fees and costs relating to the adoption of the child.
7 "Qualified adoption expenses" does not include expenses paid or
8 incurred in violation of state or federal law.

9 Under Iowa law, a taxpayer may claim an itemized deduction
10 for the amount of certain adoption expenses that exceed 3
11 percent of the net income of the taxpayer. The bill provides
12 that taxpayers who claim the itemized deduction are required
13 to reduce that deduction by the amount of expenses used to
14 calculate the adoption tax credit.

15 Any credit in excess of the taxpayer's liability is
16 refundable or may be carried forward one tax year at the
17 election of the taxpayer.

18 The bill applies retroactively to tax years beginning on or
19 after January 1, 2014.



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House Study Bill 687 - Introduced

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON SANDS)

A BILL FOR

1 An Act relating to the assessment of certain housing rented or
2 leased to low-income individuals and families and including
3 applicability provisions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6206YC (1) 85
md/sc



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H.F. _____

1 Section 1. Section 426C.4, subsection 1, paragraph b,
2 subparagraph (1), Code 2014, is amended to read as follows:

3 (1) Property that is rented or leased to low-income
4 individuals and families as authorized by section 42 of the
5 Internal Revenue Code, as amended, ~~and that is subject to~~
6 ~~assessment procedures relating to section 42 property under~~
7 ~~section 441.21, subsection 2, for the applicable assessment~~
8 ~~year.~~

9 Sec. 2. Section 441.21, subsection 2, Code 2014, is amended
10 to read as follows:

11 2. In the event market value of the property being assessed
12 cannot be readily established in the foregoing manner, then
13 the assessor may determine the value of the property using
14 the other uniform and recognized appraisal methods including
15 its productive and earning capacity, if any, industrial
16 conditions, its cost, physical and functional depreciation
17 and obsolescence and replacement cost, and all other factors
18 which would assist in determining the fair and reasonable
19 market value of the property but the actual value shall not
20 be determined by use of only one such factor. The following
21 shall not be taken into consideration: Special value or use
22 value of the property to its present owner, and the goodwill or
23 value of a business which uses the property as distinguished
24 from the value of the property as property. However, in
25 assessing property that is rented or leased to low-income
26 individuals and families as authorized by section 42 of the
27 Internal Revenue Code, as amended, and which section limits
28 the amount that the individual or family pays for the rental
29 or lease of units in the property, the assessor shall, unless
30 the owner elects to withdraw the property from the assessment
31 procedures for section 42 property, use the productive and
32 earning capacity from the actual rents received as a method of
33 appraisal and shall take into account the extent to which that
34 use and limitation reduces the market value of the property.
35 The assessor shall not consider any tax credit equity or other

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1 subsidized financing as income provided to the property in
2 determining the assessed value. The property owner shall
3 notify the assessor when property is withdrawn from section 42
4 eligibility under the Internal Revenue Code or if the owner
5 elects to withdraw the property from the assessment procedures
6 for section 42 property under this subsection. The property
7 shall not be subject to section 42 assessment procedures
8 for the assessment year for which section 42 eligibility is
9 withdrawn or an election is made. This notification must
10 be provided to the assessor no later than March 1 of the
11 assessment year or the owner will be subject to a penalty of
12 five hundred dollars for that assessment year. The penalty
13 shall be collected at the same time and in the same manner
14 as regular property taxes. An election to withdraw from the
15 assessment procedures for section 42 property is irrevocable
16 for as long as the property is owned by the owner who made the
17 election. Upon adoption of uniform rules by the department
18 of revenue or succeeding authority covering assessments and
19 valuations of such properties, the valuation on such properties
20 shall be determined in accordance with such rules and in
21 accordance with forms and guidelines contained in the real
22 property appraisal manual prepared by the department as updated
23 from time to time for assessment purposes to assure uniformity,
24 but such rules, forms, and guidelines shall not be inconsistent
25 with or change the foregoing means of determining the actual,
26 market, taxable and assessed values.

27 Sec. 3. APPLICABILITY. This Act applies to assessment years
28 beginning on or after January 1, 2015.

29 EXPLANATION

30 The inclusion of this explanation does not constitute agreement with
31 the explanation's substance by the members of the general assembly.

32 Current Code section 441.21(2) provides that in assessing
33 property that is rented or leased to low-income individuals
34 and families as authorized by section 42 of the Internal
35 Revenue Code, the assessor shall use the productive and

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1 earning capacity from the actual rents received as a method of
2 appraisal and shall take into account the extent to which that
3 use and limitation reduces the market value of the property.
4 Code section 441.21 also provides that the assessor shall not
5 consider any tax credit equity or other subsidized financing
6 as income provided to the property in determining the assessed
7 value. Under current law, such property is no longer subject
8 to the section 42 assessment procedures when the property is no
9 longer eligible under section 42 of the Internal Revenue Code
10 and notice is provided to the assessor.

11 This bill allows a section 42 property owner to elect to
12 withdraw the eligible property from the section 42 assessment
13 procedures by filing a notice with the assessor no later than
14 March 1 of the assessment year. An election to withdraw
15 from the assessment procedures for section 42 property is
16 irrevocable for as long as the property is owned by the owner
17 who made the election.

18 The bill applies to property tax assessment years beginning
19 on or after January 1, 2015.



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Senate File 2348 - Introduced

SENATE FILE 2348
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SF 2331)

A BILL FOR

1 An Act relating to the approval and imposition of local option
2 taxes.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 5639SV (3) 85
md/sc



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1 Section 1. Section 423B.1, subsection 1, Code 2014, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 1. *a.* A county may impose by ordinance of the board of
5 supervisors the local vehicle tax authorized by this chapter,
6 subject to this section.

7 *b.* A city or county may impose by ordinance the local sales
8 and services tax authorized by this chapter, subject to this
9 section.

10 Sec. 2. Section 423B.1, subsection 2, paragraph b,
11 subparagraph (3), Code 2014, is amended to read as follows:

12 (3) The tax once imposed shall continue to be imposed until
13 the county-imposed tax is ~~reduced or increased in rate or~~
14 repealed, and then the city-imposed tax shall also be ~~reduced~~
15 ~~or increased in rate or repealed in the same amount and be~~
16 effective on the same date.

17 Sec. 3. Section 423B.1, subsection 3, Code 2014, is amended
18 to read as follows:

19 3. *a.* ~~A local option tax shall be imposed only after an~~
20 ~~election at which~~ If a majority of those voting on the question
21 of imposition of a local option tax favors imposition and, the
22 local option tax shall then be imposed at the rate specified on
23 the ballot for an unlimited period until repealed as provided
24 in subsection 6, paragraph "a" this chapter.

25 *b.* If the tax is a local vehicle tax imposed by a county,
26 it shall apply to all incorporated and unincorporated areas of
27 the county.

28 *c.* (1) (a) If the tax is a local sales and services tax
29 imposed by a county that is a qualified county, it shall only
30 apply to ~~those incorporated areas and the unincorporated area~~
31 ~~of that county in which~~ if a majority of those voting in the
32 area on the tax favors its imposition.

33 (b) If the tax is a local sales and services tax imposed by
34 a city located in a county that is a qualified county, other
35 than a city under subsection 2, it shall only apply to the city



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1 if a majority of those voting in the city on the tax favors its
2 imposition.

3 (2) If the tax is a local sales and services tax imposed by
4 a county that is not a qualified county, it shall only apply to
5 those incorporated areas and the unincorporated area of that
6 county in which a majority of those voting in the area on the
7 tax favors its imposition. For purposes of the local sales
8 and services tax imposed by a county that is not a qualified
9 county, all cities contiguous to each other shall be treated
10 as part of one incorporated area and the tax ~~would~~ shall be
11 imposed in each of those contiguous cities only if the majority
12 of those voting in the total area covered by the contiguous
13 cities favors its imposition. ~~In the case of a local sales and~~
14 ~~services tax submitted to the registered voters of two or more~~
15 ~~contiguous counties as provided in subsection 4, paragraph "c",~~
16 ~~all cities contiguous to each other shall be treated as part of~~
17 ~~one incorporated area, even if the corporate boundaries of one~~
18 ~~or more of the cities include areas of more than one county,~~
19 ~~and the tax shall be imposed in each of those contiguous cities~~
20 ~~only if a majority of those voting on the tax in the total area~~
21 ~~covered by the contiguous cities favored its imposition.~~ For
22 purposes of the local sales and services tax, a city is not
23 contiguous to another city if the only road access between the
24 two cities is through another state.

25 Sec. 4. Section 423B.1, Code 2014, is amended by adding the
26 following new subsection:

27 NEW SUBSECTION. 3A. For purposes of this chapter,
28 "*qualified county*" means a county with a population in excess of
29 four hundred thousand or a county with a population of at least
30 sixty thousand but not more than seventy thousand, according to
31 the 2010 federal decennial census.

32 Sec. 5. Section 423B.1, subsections 4 and 5, Code 2014, are
33 amended to read as follows:

34 4. a. (1) A The county board of supervisors shall direct
35 within thirty days the county commissioner of elections to



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1 submit the question of imposition of a local vehicle tax ~~or~~
2 ~~a local sales and services tax~~ to the registered voters of
3 the incorporated and unincorporated areas of the county upon
4 receipt of a petition, requesting imposition of a local vehicle
5 tax ~~or a local sales and services tax~~, signed by eligible
6 electors of the whole county equal in number to five percent of
7 the persons in the whole county who voted at the last preceding
8 general election. ~~In the case of a local vehicle tax, the~~ The
9 petition requesting imposition shall specify the rate of tax
10 and the classes, if any, that are to be exempt. If more than
11 one valid petition is received, the earliest received petition
12 shall be used.

13 (2) The county board of supervisors for a qualified county
14 shall direct within thirty days the county commissioner of
15 elections to submit the question of imposition of a local
16 sales and services tax to the registered voters of a city or
17 to the registered voters of the unincorporated area of the
18 county upon receipt by the board of supervisors of a petition,
19 requesting imposition of a local sales and services tax, signed
20 by eligible electors of the city or eligible electors of the
21 unincorporated area of the county, as applicable, equal in
22 number to five percent of the persons in the applicable city
23 or unincorporated area of the county who voted at the last
24 preceding general election. If more than one valid petition
25 is received for a city or for the unincorporated area of the
26 county, the earliest received petition shall be used.

27 (3) A county board of supervisors for a county that is not
28 a qualified county shall direct within thirty days the county
29 commissioner of elections to submit the question of imposition
30 of a local sales and services tax to the registered voters of
31 the incorporated and unincorporated areas of the county upon
32 receipt of a petition, requesting imposition of a local sales
33 and services tax, signed by eligible electors of the whole
34 county equal in number to five percent of the persons in the
35 whole county who voted at the last preceding general election.



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1 If more than one valid petition is received, the earliest
2 received petition shall be used.
3 b. (1) The question of the imposition of a local sales
4 and services tax in a qualified county shall be submitted to
5 the registered voters of the city or to the registered voters
6 of the unincorporated area of the county upon receipt by the
7 county commissioner of elections of a motion, requesting such
8 submission, adopted by the governing body of a city located
9 within the county or of the county for the unincorporated area
10 of the county. Upon adoption of such motion, the governing
11 body of the city or county for the unincorporated area, shall
12 submit the motion to the county commissioner of elections. The
13 county commissioner of elections shall publish notice of the
14 ballot proposition concerning the imposition of the local sales
15 and services tax. The manner provided under this subparagraph
16 for the submission of the question of imposition of a local
17 sales and services tax is an alternative to the manner provided
18 in paragraph "a", subparagraph (2).
19 (2) The question of the imposition of a local sales and
20 services tax in a county that is not a qualified county shall
21 be submitted to the registered voters of the incorporated and
22 unincorporated areas of the county upon receipt by the county
23 commissioner of elections of the motion or motions, requesting
24 such submission, adopted by the governing body or bodies of the
25 city or cities located within the county or of the county, for
26 the unincorporated areas of the county, representing at least
27 one half of the population of the county. Upon adoption of
28 such motion, the governing body of the city or county, for the
29 unincorporated areas, shall submit the motion to the county
30 commissioner of elections and in the case of the governing
31 body of the city shall notify the board of supervisors of the
32 adoption of the motion. The county commissioner of elections
33 shall keep a file on all the motions received and, upon
34 reaching the population requirements, shall publish notice of
35 the ballot proposition concerning the imposition of the local



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1 sales and services tax. A motion ceases to be valid at the
2 time of the holding of the regular election for the election of
3 members of the governing body ~~which~~ that adopted the motion.
4 The county commissioner of elections shall eliminate from the
5 file any motion that ceases to be valid. The manner provided
6 under this ~~paragraph~~ subparagraph for the submission of the
7 question of imposition of a local sales and services tax
8 is an alternative to the manner provided in paragraph "a",
9 subparagraph (3).

10 ~~c. Upon receipt of petitions or motions calling for the~~
11 ~~submission of the question of the imposition of a local sales~~
12 ~~and services tax as described in paragraph "a" or "b", the~~
13 ~~boards of supervisors of two or more contiguous counties in~~
14 ~~which the question is to be submitted may enter into a joint~~
15 ~~agreement providing that for purposes of this chapter, a~~
16 ~~city whose corporate boundaries include areas of more than~~
17 ~~one county shall be treated as part of the county in which a~~
18 ~~majority of the residents of the city reside. In such event,~~
19 ~~the county commissioners of elections from each such county~~
20 ~~shall cooperate in the selection of a single date upon which~~
21 ~~the election shall be held, and for all purposes of this~~
22 ~~chapter relating to the imposition, repeal, change of use,~~
23 ~~or collection of the tax, such a city shall be deemed to be~~
24 ~~part of the county in which a majority of the residents of the~~
25 ~~city reside. A copy of the joint agreement shall be provided~~
26 ~~promptly to the director of revenue.~~

27 5. a. The county commissioner of elections shall submit
28 the question of imposition of a local option tax at an election
29 held on a date specified in section 39.2, subsection 4,
30 paragraph "a" or "b", as applicable. The election shall not be
31 held sooner than sixty days after publication of notice of the
32 ballot proposition.

33 b. The ballot proposition shall specify the type and rate of
34 tax and, in the case of a vehicle tax, the classes that will be
35 exempt and, in the case of a local sales and services tax, the



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1 date it will be imposed which date shall not be earlier than
2 ninety days following the election. The ballot proposition
3 shall also specify the approximate amount of local option tax
4 revenues that will be used for property tax relief and shall
5 contain a statement as to the specific purpose or purposes for
6 which the revenues shall otherwise be expended. If the ~~county~~
7 board of supervisors in a county that is not a qualified county
8 or if the board of supervisors or city council, as applicable,
9 in a qualified county decides under subsection 6 to specify a
10 date on which the local option sales and services tax shall
11 automatically be repealed, the date of the repeal shall also be
12 specified on the ballot.

13 c. The rate of the vehicle tax shall be in increments of one
14 dollar per vehicle as set by the petition seeking to impose the
15 tax.

16 d. The rate of a local sales and services tax shall ~~not~~ be
17 ~~more than one percent as set by the governing body.~~

18 e. The state commissioner of elections shall establish by
19 rule the form for the ballot proposition which form shall be
20 uniform throughout the state.

21 Sec. 6. Section 423B.1, subsection 6, paragraph a,
22 subparagraph (1), Code 2014, is amended by striking the
23 subparagraph.

24 Sec. 7. Section 423B.1, subsection 6, paragraph a,
25 subparagraphs (2) and (3), Code 2014, are amended to read as
26 follows:

27 (2) (a) The A local option tax may be repealed or the
28 rate of the local vehicle tax increased or decreased or the
29 use thereof of a local option tax changed after an election at
30 which a majority of those voting on the question of repeal or
31 rate or use change ~~favor~~ favours the repeal or rate or use
32 change.

33 (b) The date on which the repeal, rate, or use change is
34 to take effect shall not be earlier than ninety days following
35 the election. The election at which the question of repeal



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1 or rate or use change is offered shall be called and held in
2 the same manner and under the same conditions as provided in
3 subsections 4 and 5 for the election on the imposition of the
4 local option tax. However, in the case of a local sales and
5 services tax where the tax has not been imposed countywide, the
6 question of repeal or imposition ~~or rate~~ or use change shall
7 be voted on only by the registered voters of the areas of the
8 county where the tax has been imposed or has not been imposed,
9 as appropriate.

10 (c) ~~However, the~~ The governing body of the ~~incorporated~~
11 ~~area~~ city or unincorporated area where the local sales and
12 services tax is imposed may, upon its own motion, request the
13 county commissioner of elections to hold an election in the
14 ~~incorporated~~ city or unincorporated area, as appropriate, on
15 the question of the change in use of local sales and services
16 tax revenues. The election may be held at any time but not
17 sooner than sixty days following publication of the ballot
18 proposition. If a majority of those voting in the ~~incorporated~~
19 city or unincorporated area on the change in use favors the
20 change, the governing body of that city or area shall change
21 the use to which the revenues shall be used. The ballot
22 proposition shall list the present use of the revenues, the
23 proposed use, and the date after which revenues received will
24 be used for the new use.

25 (3) When submitting the question of the imposition of a
26 local sales and services tax, the ~~county~~ board of supervisors
27 of a county that is not a qualified county or the board of
28 supervisors or the governing body of the city, as applicable,
29 in a qualified county may direct that the question contain a
30 provision for the repeal, without election, of the local sales
31 and services tax on a specific date, which date shall be as
32 provided in section 423B.6, subsection 1.

33 Sec. 8. Section 423B.1, subsection 7, paragraph b, Code
34 2014, is amended to read as follows:

35 b. Costs of local option tax elections shall be apportioned

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1 among jurisdictions within the county voting on the question
2 at the same election on a pro rata basis in proportion to the
3 number of registered voters in each taxing jurisdiction voting
4 on the question and the total number of registered voters in
5 all of the taxing jurisdictions voting on the question.

6 Sec. 9. Section 423B.1, subsection 8, Code 2014, is amended
7 by striking the subsection.

8 Sec. 10. Section 423B.1, subsections 9 and 10, Code 2014,
9 are amended to read as follows:

10 9. a. In a county ~~that has imposed a local option sales~~
11 ~~and services tax~~ that is not a qualified county, the board
12 of supervisors shall, notwithstanding any contrary provision
13 of this chapter, repeal the local option sales and services
14 tax in the unincorporated areas or in an incorporated city
15 area in which the tax has been imposed upon adoption of ~~its~~
16 the board's own motion for repeal in the unincorporated areas
17 or upon receipt of a motion adopted by the governing body of
18 that incorporated city area requesting repeal. The board of
19 supervisors shall repeal the local option sales and services
20 tax effective on the later of the date of the adoption of the
21 repeal motion or the earliest date specified in section 423B.6,
22 subsection 1. For purposes of this ~~subsection~~ paragraph,
23 incorporated city area includes an incorporated city which is
24 contiguous to another incorporated city.

25 b. For a qualified county:

26 (1) In a city that has imposed a local sales and services
27 tax, the governing body of the city shall, notwithstanding any
28 contrary provision of this chapter, repeal the local sales
29 and services tax in the city upon adoption of its own motion
30 for repeal. The governing body of the city shall repeal the
31 local sales and services tax effective on the later of the
32 date of the adoption of the repeal motion or the earliest date
33 specified in section 423B.6, subsection 1.

34 (2) In the unincorporated area of the county where the
35 local sales and services tax has been imposed, the board of



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1 supervisors shall, notwithstanding any contrary provision of
2 this chapter, repeal the local sales and services tax in the
3 unincorporated area of the county upon adoption of its own
4 motion for repeal. The board of supervisors shall repeal the
5 local sales and services tax effective on the later of the
6 date of the adoption of the repeal motion or the earliest date
7 specified in section 423B.6, subsection 1.

8 10. Notwithstanding subsection 9 or any other contrary
9 provision of this chapter, a local option sales and services
10 tax shall not be repealed ~~or reduced in rate~~ if obligations are
11 outstanding which are payable as provided in section 423B.9,
12 unless funds sufficient to pay the principal, interest, and
13 premium, if any, on the outstanding obligations at and prior
14 to maturity have been properly set aside and pledged for that
15 purpose.

16 Sec. 11. Section 423B.5, Code 2014, is amended to read as
17 follows:

18 **423B.5 Local sales and services tax.**

19 1. A local sales and services tax at the rate of not more
20 than one percent may be imposed by a city or county pursuant
21 to this chapter shall be imposed on the sales price taxed
22 by the state under chapter 423, subchapter II. A local sales
23 and services tax shall be imposed on the same basis as the
24 state sales and services tax or in the case of the use of
25 natural gas, natural gas service, electricity, or electric
26 service on the same basis as the state use tax and shall not
27 be imposed on the sale of any property or on any service not
28 taxed by the state, except the tax shall not be imposed on
29 the sales price from the sale of motor fuel or special fuel
30 as defined in chapter 452A which is consumed for highway use
31 or in watercraft or aircraft if the fuel tax is paid on the
32 transaction and a refund has not or will not be allowed, on the
33 sales price from the sale of equipment by the state department
34 of transportation, or on the sales price from the sale or use
35 of natural gas, natural gas service, electricity, or electric



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1 service in a city or county where the sales price from the sale
2 of natural gas or electric energy is subject to a franchise
3 fee or user fee during the period the franchise or user fee
4 is imposed. A local sales and services tax is applicable
5 to transactions within ~~those incorporated and~~ the city or
6 ~~unincorporated areas~~ area of the county where it is imposed and
7 shall be collected by all persons required to collect state
8 sales taxes. However, a local sales and services tax is not
9 applicable to transactions of a retailer holding a retail sales
10 tax permit at a place of business, as defined in section 423.1,
11 if the retailer's place of business is located in part within
12 a city or unincorporated area of the county where the tax is
13 not imposed. ~~All cities contiguous to each other shall be~~
14 ~~treated as part of one incorporated area and the tax would be~~
15 ~~imposed in each of those contiguous cities only if the majority~~
16 ~~of those voting in the total area covered by the contiguous~~
17 ~~cities favors its imposition. In the case of a local sales and~~
18 ~~services tax submitted to the registered voters of two or more~~
19 ~~contiguous counties as provided in section 423B.1, subsection~~
20 ~~4, paragraph "c", all cities contiguous to each other shall be~~
21 ~~treated as part of one incorporated area, even if the corporate~~
22 ~~boundaries of one or more of the cities include areas of more~~
23 ~~than one county, and the tax shall be imposed in each of those~~
24 ~~contiguous cities only if a majority of those voting on the tax~~
25 ~~in the total area covered by the contiguous cities favored its~~
26 ~~imposition.~~

27 2. The amount of the sale, for purposes of determining the
28 amount of the local sales and services tax, does not include
29 the amount of any state sales tax.

30 3. A tax permit other than the state sales tax permit
31 required under section 423.36 shall not be required by local
32 authorities.

33 4. If a local sales and services tax is imposed by a city or
34 county pursuant to this chapter, a local excise tax at the same
35 rate shall be imposed by the city or county on the purchase



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1 price of natural gas, natural gas service, electricity, or
2 electric service subject to tax under chapter 423, subchapter
3 III, and not exempted from tax by any provision of chapter
4 423, subchapter III. The local excise tax is applicable only
5 to the use of natural gas, natural gas service, electricity,
6 or electric service within those ~~incorporated~~ cities and
7 unincorporated areas of the county where it is imposed
8 and, except as otherwise provided in this chapter, shall be
9 collected and administered in the same manner as the local
10 sales and services tax. For purposes of this chapter, "*local*
11 *sales and services tax*" shall also include the local excise tax.

12 Sec. 12. Section 423B.6, subsection 1, paragraphs b and c,
13 Code 2014, are amended to read as follows:

14 *b.* A local sales and services tax shall be repealed only
15 on June 30 or December 31 but not sooner than ninety days
16 following the favorable election if one is held. However, a
17 local sales and services tax shall not be repealed before the
18 tax has been in effect for one year. At least forty days before
19 the imposition or repeal of the tax, a the city or county, as
20 applicable, shall provide notice of the action by certified
21 mail to the director of revenue.

22 *c.* The imposition of ~~or a rate change for~~ a local sales and
23 services tax shall not be applied to purchases from a printed
24 catalog wherein a purchaser computes the local tax based on
25 rates published in the catalog unless a minimum of one hundred
26 twenty days' notice of the imposition ~~or rate change~~ has been
27 given to the seller from the catalog and the first day of a
28 calendar quarter has occurred on or after the one hundred
29 twentieth day.

30 Sec. 13. Section 423B.6, subsection 2, paragraph b, Code
31 2014, is amended to read as follows:

32 *b.* The ordinance of a governing body of a city or county
33 board of supervisors imposing a local sales and services
34 tax shall adopt by reference the applicable provisions of
35 the appropriate sections of chapter 423. All powers and

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1 requirements of the director to administer the state sales tax
2 law and use tax law are applicable to the administration of
3 a local sales and services tax law and the local excise tax,
4 including but not limited to the provisions of section 422.25,
5 subsection 4, sections 422.30, 422.67, and 422.68, section
6 422.69, subsection 1, sections 422.70 through 422.75, section
7 423.14, subsection 1 and subsection 2, paragraphs "b" through
8 "e", and sections 423.15, 423.23, 423.24, 423.25, 423.31
9 through 423.35, 423.37 through 423.42, 423.46, and 423.47.
10 Local officials shall confer with the director of revenue for
11 assistance in drafting the ordinance imposing a local sales and
12 services tax. A certified copy of the ordinance shall be filed
13 with the director as soon as possible after passage.
14 Sec. 14. Section 423B.6, subsection 3, paragraph b, Code
15 2014, is amended to read as follows:
16 b. All local tax moneys and interest and penalties received
17 or refunded one hundred eighty days or more after the date
18 on which the city or county repeals its the local sales and
19 services tax shall be deposited in or withdrawn from the state
20 general fund.
21 Sec. 15. Section 423B.7, subsection 1, paragraph a, Code
22 2014, is amended to read as follows:
23 a. Except as provided in paragraph "b", the director shall
24 credit the local sales and services tax receipts and interest
25 and penalties ~~from a county-imposed tax~~ to the county's account
26 in the local sales and services tax fund for the county in
27 which the tax was collected and from a city-imposed tax under
28 section 423B.1, subsection 2, to the city's account in the
29 local sales and services tax fund. If the director is unable
30 to determine from which city or county any of the receipts were
31 collected, those receipts shall be allocated among the possible
32 cities or counties based on allocation rules adopted by the
33 director.
34 Sec. 16. Section 423B.8, subsection 1, paragraph a, Code
35 2014, is amended to read as follows:

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1 *a.* The goods, wares, or merchandise are incorporated into
2 an improvement to real estate in fulfillment of a written
3 contract fully executed prior to the date of the imposition ~~or~~
4 ~~increase in rate~~ of a local sales and services tax under this
5 chapter. The refund shall not apply to equipment transferred
6 in fulfillment of a mixed construction contract.

7 Sec. 17. Section 423B.10, subsection 1, paragraph b, Code
8 2014, is amended to read as follows:

9 *b.* "*Eligible city*" means a city in which a local sales and
10 services tax imposed by the city or county applies ~~or a city~~
11 ~~described in section 423B.1, subsection 2, paragraph "a",~~ and in
12 which an urban renewal area has been designated.

13 Sec. 18. IMPLEMENTATION. This Act shall not affect the
14 imposition of local option taxes in effect on the effective
15 date of this Act and such taxes shall continue to be imposed
16 until their repeal pursuant to chapter 423B. The law in effect
17 at the time of the repeal governs the repeal of the local
18 option taxes.

19 EXPLANATION

20 The inclusion of this explanation does not constitute agreement with
21 the explanation's substance by the members of the general assembly.

22 This bill relates to the approval and imposition of local
23 option taxes. Current Code chapter 423B authorizes the
24 imposition of local option taxes, including a local option
25 sales and services tax. Currently, such a proposed tax is
26 only presented to the voters of a whole county upon the filing
27 of a petition signed by eligible electors of the county equal
28 in number to 5 percent of the persons in the county who voted
29 at the last preceding general election or upon receipt by the
30 county commissioner of elections of motions requesting such
31 submission, adopted by the governing bodies of the cities
32 located within the county or the governing body of the county
33 for the unincorporated area of the county, representing at
34 least one-half of the population of the county.

35 The bill amends the methods of seeking presentment of the

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1 local option sales and services tax to the voters of certain
2 qualified counties by allowing the eligible electors of
3 individual cities and the unincorporated area of a county to
4 file a petition for an election to be held in the petitioning
5 jurisdiction if such petition is signed by eligible electors
6 of the city or the unincorporated area of the county, as
7 applicable, equal in number to 5 percent of the persons in
8 the applicable city or unincorporated area of the county who
9 voted at the last preceding general election. The bill defines
10 "qualified county" to mean a county with a population in
11 excess of 400,000 or a county with a population of at least
12 60,000 but not more than 70,000, according to the 2010 federal
13 decennial census. For those qualified counties, the bill also
14 removes the requirement that in order to have the local sales
15 and services tax presented to the voters, motions must be
16 approved by cities or the county for the unincorporated area,
17 representing at least one-half of the county's population.
18 Instead, the bill allows individual cities or the county for
19 the unincorporated area within a qualified county to approve a
20 motion for an election on the local sales and services tax to
21 be held in only that jurisdiction.

22 The bill provides that in a qualified county a city or the
23 board of supervisors for the unincorporated area of a county
24 may repeal the local sales and services tax in the city upon
25 adoption of its own motion for repeal.

26 For those counties that are not qualified counties, the
27 methods of seeking presentment of the local option sales and
28 services tax to the voters and the methods for repealing such
29 a tax remain the same as required under current Code chapter
30 423B.

31 The bill strikes special provisions related to the approval
32 and imposition of a local sales and services tax in a city that
33 is located in two or more contiguous counties.

34 The bill provides that a local sales and services tax is
35 not applicable to transactions of a retailer holding a retail

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1 sales tax permit at a place of business if the retailer's place
2 of business is located in part within a city or unincorporated
3 area of the county where the tax is not imposed.

4 Current Code chapter 423B authorizes the imposition of a
5 local sales and services tax at a rate of not more than 1
6 percent. The bill requires a local sales and services tax, if
7 imposed, to be 1 percent.

8 The bill provides that the imposition of local option
9 taxes in effect on the effective date of this Act shall not
10 be affected by the bill and such taxes shall continue to be
11 imposed until their repeal pursuant to Code chapter 423B. The
12 law in effect at the time of the repeal governs the repeal of
13 the local option taxes.



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Senate File 2349 - Introduced

SENATE FILE 2349
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 3215)

A BILL FOR

1 An Act relating to and making appropriations to state
2 departments and agencies from the rebuild Iowa
3 infrastructure fund, the technology reinvestment fund,
4 and the revenue bonds capitals II fund, and providing for
5 related matters, and including effective date provisions.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 DIVISION I
2 REBUILD IOWA INFRASTRUCTURE FUND
3 Section 1. There is appropriated from the rebuild Iowa
4 infrastructure fund to the following departments and agencies
5 for the following fiscal years, the following amounts, or so
6 much thereof as is necessary, to be used for the purposes
7 designated:
8 1. DEPARTMENT OF ADMINISTRATIVE SERVICES
9 For projects related to routine maintenance of state
10 buildings and facilities:
11 FY 2014-2015:
12 \$ 1,000,000
13 2. DEPARTMENT OF CULTURAL AFFAIRS
14 For deposit in the Iowa great places program fund created in
15 section 303.3D for Iowa great places program projects that meet
16 the definition of "vertical infrastructure" in section 8.57,
17 subsection 5:
18 FY 2014-2015:
19 \$ 1,000,000
20 3. ECONOMIC DEVELOPMENT AUTHORITY
21 a. For equal distribution to regional sports authority
22 districts certified by the economic development authority
23 pursuant to section 15E.321, notwithstanding section 8.57,
24 subsection 5, paragraph "c":
25 FY 2014-2015:
26 \$ 500,000
27 b. For renovations, expansions, and enhancements to
28 facilities for an adult day program at a year-round camp
29 for persons with disabilities in a central Iowa city with a
30 population between 195,000 and 205,000 as determined by the
31 2010 federal decennial census:
32 FY 2014-2015:
33 \$ 250,000
34 c. For administration and support of the world food prize
35 including the Borlaug/Ruan scholar program, notwithstanding

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1 section 8.57, subsection 5, paragraph "c":
2 FY 2014-2015:
3 \$ 100,000
4 d. For grants to nonprofit organizations committed to
5 strengthening the community through youth development, healthy
6 living, and social responsibility in a city with a population
7 of less than 26,000 as determined by the 2010 federal
8 decennial census, for costs associated with the renovation and
9 maintenance of facility infrastructure:
10 FY 2015-2016:
11 \$ 500,000
12 e. For the purchase and renovation of existing buildings
13 to relocate programs of a nonprofit organization dedicated
14 to eliminating homelessness among children, youth, and young
15 mothers in a county with a population between 400,000 and
16 450,000 as determined by the 2010 federal decennial census:
17 FY 2014-2015:
18 \$ 250,000
19 f. For costs associated with the hosting of a national golf
20 tournament by a nonprofit professional sports organization,
21 notwithstanding section 8.57, subsection 5, paragraph "c":
22 FY 2014-2015:
23 \$ 500,000
24 FY 2015-2016:
25 \$ 500,000
26 4. DEPARTMENT OF EDUCATION
27 For deposit in the apprenticeship training program fund
28 created pursuant to 2014 Iowa Acts, Senate File 2317, if
29 enacted, for the purpose of providing infrastructure equipment
30 grants for equipment needs for apprenticeship sponsors or
31 lead apprenticeship sponsors, notwithstanding section 8.57,
32 subsection 5, paragraph "c":
33 FY 2014-2015:
34 \$ 1,000,000
35 An apprenticeship sponsor or lead apprenticeship sponsor

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1 conducting an apprenticeship program for apprentices who will
2 be employed at Iowa worksites that has a training facility in
3 the state may apply for infrastructure grants for equipment
4 needs from the moneys appropriated pursuant to this subsection.

5 5. DEPARTMENT OF HUMAN SERVICES

6 a. For the construction and expansion of inpatient mental
7 health facilities and the construction of an outpatient clinic
8 building at a publicly owned acute care teaching hospital
9 located in a county with a population between 400,000 and
10 450,000 as determined by the 2010 federal decennial census:

11 FY 2014-2015:

12 \$ 3,000,000

13 FY 2015-2016:

14 \$ 3,000,000

15 b. For the renovation and construction of certain nursing
16 facilities, consistent with the provisions of chapter 249K:

17 FY 2014-2015:

18 \$ 500,000

19 c. For a grant to a nonprofit agency that provides
20 innovative solutions to children and adults with autism in a
21 city with a population between 14,500 and 15,500 as determined
22 by the 2010 federal decennial census for costs associated with
23 the acquisition of or improvements to facilities:

24 FY 2014-2015:

25 \$ 825,000

26 d. For a grant to a community-based nonprofit agency located
27 in a central Iowa city with a population between 195,000 and
28 205,000 as determined by the 2010 federal decennial census
29 that provides services and programming for children and adults
30 with intellectual disabilities for costs associated with
31 construction and infrastructure improvements for an access
32 plaza area and for compliance with the federal Americans with
33 Disabilities Act:

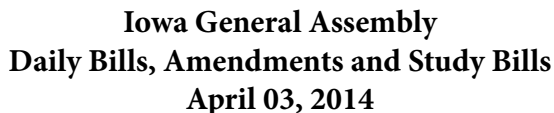
34 FY 2014-2015:

35 \$ 300,000

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1 e. For the acquisition of or renovations to an existing
2 facility for a public health building in a county with a
3 population between 210,000 and 215,000 as determined by the
4 2010 federal decennial census:
5 FY 2014-2015:
6 \$ 1,000,000

12	FY 2014-2015:	
13	\$ 250,000

15 a. For implementation of lake projects that have
16 established watershed improvement initiatives and community
17 support in accordance with the department's annual lake
18 restoration plan and report, notwithstanding section 8.57,
19 subsection 5, paragraph "c":

22 Of the amount appropriated in this lettered paragraph,
23 \$1,000,000 shall be allocated to a county with a population
24 between 16,500 and 16,750 as determined by the 2010 federal
25 decennial census for an existing watershed restoration project
26 for a lake to improve water quality.

31	FY 2014-2015:	
32	\$ 2,000,000

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1 and identifies meaningful and effective river restoration
2 priorities and \$700,000 shall be used to provide cost-share
3 opportunities to initiate and complete river restoration
4 projects across the state.

5 c. For the establishment of a new state park in a county
6 with a population between 11,500 and 11,600 in the latest
7 preceding certified federal census:

8 FY 2014-2015:
9 \$ 2,000,000

10 d. For funding projects of the Iowa parks foundation
11 that support the centennial celebration of state parks,
12 notwithstanding section 8.57, subsection 5, paragraph "c":

13 FY 2014-2015:
14 \$ 2,000,000

15 7. DEPARTMENT OF PUBLIC DEFENSE

16 a. For major maintenance projects at national guard
17 armories and facilities:

18 FY 2014-2015:
19 \$ 2,000,000

20 b. For construction improvement projects at statewide
21 readiness centers:

22 FY 2014-2015:
23 \$ 2,000,000

24 c. For exhibits highlighting Iowans and their service at
25 the gold star museum, notwithstanding section 8.57, subsection
26 5, paragraph "c":

27 FY 2014-2015:
28 \$ 250,000

29 8. BOARD OF REGENTS

30 a. For allocation by the state board of regents to the
31 state university of Iowa, Iowa state university of science
32 and technology, and the university of northern Iowa to
33 reimburse the institutions for deficiencies in the operating
34 funds resulting from the pledging of tuition, student fees
35 and charges, and institutional income to finance the cost of



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1 providing academic and administrative buildings and facilities
2 and utility services at the institutions:
3 FY 2014-2015:
4 \$ 29,735,423
5 b. For costs associated with the renovation, modernization,
6 and construction of a new addition at the pharmacy building at
7 the state university of Iowa:
8 FY 2014-2015:
9 \$ 2,000,000
10 c. For the construction of a new facility and an addition,
11 renovation, and modernization of current facilities and related
12 improvements for biosciences at Iowa state university of
13 science and technology:
14 FY 2014-2015:
15 \$ 2,000,000
16 d. For the renovation, modernization, and associated
17 improvements to an educational center for teacher education and
18 preparation at the university of northern Iowa:
19 FY 2014-2015:
20 \$ 2,000,000
21 9. STATE FAIR AUTHORITY
22 For infrastructure costs associated with renovations and
23 improvements to the youth inn on the Iowa state fairgrounds:
24 FY 2014-2015:
25 \$ 825,000
26 FY 2015-2016:
27 \$ 2,325,000
28 10. DEPARTMENT OF TRANSPORTATION
29 a. For acquiring, constructing, and improving recreational
30 trails within the state:
31 FY 2014-2015:
32 \$ 10,100,000
33 (1) Of the amount appropriated in this lettered paragraph,
34 \$3,000,000 shall be allocated for improving and connecting
35 urban trails in eastern Iowa counties with a combined

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1 population of more than 500,000 as determined by the 2010
2 federal decennial census to a national trail.

3 (2) Of the amount appropriated in this lettered paragraph,
4 \$2,000,000 shall be allocated for infrastructure improvements
5 and enhancements to a river corridor area in a city with
6 a population between 126,000 and 127,000 as determined by
7 the 2010 federal decennial census for a greenway and trail
8 connectivity project.

9 (3) Of the amount appropriated in this lettered paragraph,
10 \$1,800,000 shall be allocated to a county with a population
11 between 44,150 and 44,500 as determined by the 2010 federal
12 decennial census for improvements to recreational trails.

13 (4) Of the amount appropriated in this lettered paragraph,
14 \$800,000 shall be allocated to a city with a population between
15 2,191 and 2,200 as determined by the 2010 federal decennial
16 census for improvements to recreational trails.

17 b. For deposit in the public transit infrastructure grant
18 fund created in section 324A.6A, for projects that meet the
19 definition of "vertical infrastructure" in section 8.57,
20 subsection 5, paragraph "c":

21 FY 2014-2015:

22 \$ 1,500,000

23 c. For infrastructure improvements at the commercial
24 service airports within the state:

25 FY 2014-2015:

26 \$ 1,500,000

27 d. For infrastructure improvements at general aviation
28 airports within the state:

29 FY 2014-2015:

30 \$ 750,000

31 e. For deposit in the railroad revolving loan and grant
32 fund created in section 327H.20A, notwithstanding section 8.57,
33 subsection 5, paragraph "c":

34 FY 2014-2015:

35 \$ 4,000,000

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1 f. For providing financial assistance to a community
2 improvement project for the construction of a roadway and
3 parking lot for a youth sports baseball facility:
4 FY 2014-2015:
5 \$ 1,000,000

6 For purposes of this lettered paragraph, "community
7 improvement project" means a project that meets all of the
8 following criteria:

- 9 (1) Supports or serves a youth sports baseball facility.
10 (2) Includes at least \$1,000,000 in total project costs.
11 (3) Provides a local match of at least 25 percent of the
12 total project costs.
13 (4) Includes an application to the revitalize Iowa's sound
14 economy fund pursuant to chapter 315.

15 g. For costs associated with a public transit study to
16 identify administrative needs, projected demand, necessary
17 capital and operating costs, and public transit service
18 structures including park-and-ride lots, employer or public
19 van pool programs, and traditional fixed-route transit,
20 notwithstanding section 8.57, subsection 5, paragraph "c":
21 FY 2014-2015:

22 \$ 150,000

23 11. IOWA FINANCE AUTHORITY

24 For a grant to a community-based nonprofit organization
25 for the purpose of rehabilitating and improving a pinned
26 Pratt-through truss bridge with three spans located in a
27 central Iowa city with a population between 195,000 and 205,000
28 as determined by the 2010 federal decennial census:

29 FY 2014-2015:

30 \$ 500,000

31 12. TREASURER OF STATE

32 For distribution in accordance with chapter 174 to qualified
33 fairs which belong to the association of Iowa fairs for county
34 fair infrastructure improvements:

35 FY 2014-2015:

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1 \$ 1,060,000
2 Sec. 2. REVERSION. For purposes of section 8.33, unless
3 specifically provided otherwise, unencumbered or unobligated
4 moneys made from an appropriation in this division of this Act
5 shall not revert but shall remain available for expenditure for
6 the purposes designated until the close of the fiscal year that
7 ends three years after the end of the fiscal year for which the
8 appropriation is made. However, if the project or projects for
9 which such appropriation was made are completed in an earlier
10 fiscal year, unencumbered or unobligated moneys shall revert at
11 the close of that same fiscal year.

12 DIVISION II

13 TECHNOLOGY REINVESTMENT FUND

14 Sec. 3. There is appropriated from the technology
15 reinvestment fund created in section 8.57C to the following
16 departments and agencies for the following fiscal years, the
17 following amounts, or so much thereof as is necessary, to be
18 used for the purposes designated:

19 1. DEPARTMENT OF CULTURAL AFFAIRS

20 For providing a grant to a museum district for the Sullivan
21 brothers veterans museum for costs associated with the
22 oral history exhibit including but not limited to exhibit
23 information technology, computer connectivity, and interactive
24 display technologies:

25 FY 2014-2015:

26 \$ 500,000

27 2. DEPARTMENT OF EDUCATION

28 a. For maintenance and lease costs associated with
29 connections for part III of the Iowa communications network:

30 FY 2014-2015:

31 \$ 2,727,000

32 b. For the continued development and implementation of an
33 education data warehouse that will be utilized by teachers,
34 parents, school district administrators, area education agency
35 staff, department of education staff, and policymakers:

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1 FY 2014-2015:
2 \$ 600,000
3 The department may use a portion of the moneys appropriated
4 in this lettered paragraph for an e-transcript data system
5 capable of tracking students throughout their education via
6 interconnectivity with multiple schools.
7 c. For the development of an automated workflow process for
8 a program and common course numbering management system for
9 community colleges:
10 FY 2014-2015:
11 \$ 150,000
12 d. To the public broadcasting division for the replacement
13 of equipment and for tower and facility maintenance:
14 FY 2014-2015:
15 \$ 1,000,000
16 3. DEPARTMENT OF HUMAN RIGHTS
17 a. For the cost of equipment and computer software for the
18 implementation of Iowa's criminal justice information system:
19 FY 2014-2015:
20 \$ 1,300,000
21 b. For costs associated with the justice enterprise data
22 warehouse:
23 FY 2014-2015:
24 \$ 314,474
25 4. DEPARTMENT OF HUMAN SERVICES
26 For a grant to a nonprofit agency that provides innovative
27 solutions to children and adults with autism in a city with a
28 population between 14,500 and 15,500 as determined by the 2010
29 federal decennial census for the cost associated with internet
30 services and video communications systems for clinics:
31 FY 2014-2015:
32 \$ 155,000
33 5. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION
34 For replacement of equipment for the Iowa communications
35 network:



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1 FY 2014-2015:
2 \$ 2,245,653
3 The commission may continue to enter into contracts pursuant
4 to section 8D.13 for the replacement of equipment and for
5 operation and maintenance costs of the network.
6 In addition to moneys appropriated in this subsection,
7 the commission may use a financing agreement entered into by
8 the treasurer of state in accordance with section 12.28 for
9 the replacement of equipment for the network. For purposes
10 of this subsection, the treasurer of state is not subject to
11 the maximum principal limitation contained in section 12.28,
12 subsection 6. Repayment of any amounts financed shall be made
13 from receipts associated with fees charged for use of the
14 network.
15 6. DEPARTMENT OF MANAGEMENT
16 For completion of a comprehensive electronic management
17 system:
18 FY 2014-2015:
19 \$ 100,000
20 7. DEPARTMENT OF PUBLIC HEALTH
21 For costs associated with the establishment of a data
22 registry software system for the collection of data elements
23 related to emergency management system services or hospital
24 emergency care:
25 FY 2014-2015:
26 \$ 150,000
27 8. BOARD OF REGENTS
28 To Iowa state university of science and technology to
29 purchase equipment and for related improvements to modernize
30 the animal care facilities at the blank park zoo as part of
31 a cooperative effort of blank park zoo and the college of
32 veterinary medicine, notwithstanding section 8.57C, subsection
33 2:
34 FY 2014-2015:
35 \$ 300,000

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1 9. OFFICE OF THE CHIEF INFORMATION OFFICER

2 a. For technology consolidation and technology improvement
3 projects approved by the state chief information officer
4 pursuant to chapter 8B:

5 FY 2014-2015:

6 \$ 7,728,189

7 b. For collecting data and developing metrics and
8 standards to measure and evaluate broadband infrastructure
9 installation and development in unserved and underserved areas,
10 notwithstanding section 8.57C, subsection 2:

11 FY 2014-2015:

12 \$ 250,000

13 Sec. 4. REVERSION. For purposes of section 8.33, unless
14 specifically provided otherwise, unencumbered or unobligated
15 moneys made from an appropriation in this division of this Act
16 shall not revert but shall remain available for expenditure for
17 the purposes designated until the close of the fiscal year that
18 ends three years after the end of the fiscal year for which the
19 appropriation was made. However, if the project or projects
20 for which such appropriation was made are completed in an
21 earlier fiscal year, unencumbered or unobligated moneys shall
22 revert at the close of that same fiscal year.

23 DIVISION III

24 CHANGES TO PRIOR APPROPRIATIONS

25 Sec. 5. 2010 Iowa Acts, chapter 1184, section 12, is amended
26 to read as follows:

27 SEC. 12. REVERSION.

28 1. For Except as otherwise provided in subsections 2 and
29 3, for purposes of section 8.33, unless specifically provided
30 otherwise, unencumbered or unobligated moneys made from an
31 appropriation in this division of this Act shall not revert
32 but shall remain available for expenditure for the purposes
33 designated until the close of the fiscal year that ends
34 three years after the end of the fiscal year for which the
35 appropriation was made. However, if the project or projects

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1 for which such appropriation was made are completed in an
2 earlier fiscal year, unencumbered or unobligated moneys shall
3 revert at the close of that same fiscal year.

4 2. For purposes of section 8.33, unencumbered or
5 unobligated moneys from moneys appropriated in section 10,
6 subsection 2, paragraphs "a", "c", and "d", and subsection 4,
7 paragraph "a", subparagraph (10), in this division of this
8 2010 Act shall not revert but shall remain available for the
9 purposes designated until the close of the fiscal year that
10 begins July 1, 2014, or until the projects for which the
11 appropriations were made are completed, whichever is earlier.

12 3. For purposes of section 8.33, unencumbered or
13 unobligated moneys from moneys appropriated in section 10,
14 subsection 7, paragraph "a", of this division of this 2010 Act
15 shall not revert but shall remain available for the purposes
16 designated until the close of the fiscal year that begins July
17 1, 2015, or until the project for which the appropriation was
18 made is completed, whichever is earlier.

19 Sec. 6. 2011 Iowa Acts, chapter 133, section 1, subsection
20 10, paragraphs c through f, as amended by 2012 Iowa Acts,
21 chapter 1140, section 15, is amended to read as follows:

22 c. For projects for immediate fire safety needs and for
23 compliance with the federal Americans with Disabilities Act, at
24 the regents institutions:

25 FY 2011-2012..... \$ 2,000,000
26 FY 2012-2013..... \$ 2,000,000

27 Of the amounts appropriated in this lettered paragraph,
28 up to \$2,000,000 may be used to fund deductibles on property
29 insurance and to provide the necessary match for funds which
30 may be available from the federal emergency management agency
31 for the cleanup, repair, and restoration of facilities at
32 the state school for the deaf and the Iowa braille and sight
33 saving school due to storm damage in the calendar year 2011,
34 notwithstanding section 8.57, subsection 6, paragraph "c".

35 d. For construction, renovation, and related improvements

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1 for phase II of the agricultural and biosystems engineering
2 complex, including classrooms, laboratories, and offices at
3 Iowa state university of science and technology:

4 FY 2011-2012.....	\$ 1,000,000
5 FY 2012-2013.....	\$ 19,050,000
6 FY 2013-2014.....	\$ 21,750,000
7 FY 2014-2015.....	\$ 18,600,000
8	<u>0</u>

9 e. For the renovation and related improvements to the dental
10 science building at the state university of Iowa including but
11 not limited to renovation of clinical spaces and development of
12 a multidisciplinary clinical area:

13 FY 2011-2012.....	\$ 1,000,000
14 FY 2012-2013.....	\$ 10,250,000
15 FY 2013-2014.....	\$ 9,750,000
16 FY 2014-2015.....	\$ 8,000,000
17	<u>0</u>

18 f. For renovation and related improvements for Bartlett
19 hall at the university of northern Iowa including providing
20 faculty offices, seminar rooms, and laboratories in the
21 building and the associated demolition of Baker hall:

22 FY 2011-2012.....	\$ 1,000,000
23 FY 2012-2013.....	\$ 7,786,000
24 FY 2013-2014.....	\$ 10,267,000
25 FY 2014-2015.....	\$ 1,947,000
26	<u>0</u>

27 Sec. 7. 2011 Iowa Acts, chapter 133, section 3, subsection
28 8, paragraph a, as amended by 2012 Iowa Acts, chapter 1140,
29 section 18, is amended to read as follows:

30 8. DEPARTMENT OF PUBLIC SAFETY

31 a. For the provision of a statewide public safety radio
32 network and the purchase of compatible radio communications
33 equipment with the goal of achieving compliance with the
34 federal communications commission's narrowbanding mandate
35 deadline, and for achieving "interoperability", as defined in

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1 section 80.28:

2 FY 2011-2012.....	\$ 2,500,000
3 FY 2012-2013.....	\$ 2,500,000
4	<u>700,000</u>
5 FY 2013-2014.....	\$ 2,500,000
6	<u>1,800,000</u>

7 Of the amounts appropriated in this lettered paragraph, the
8 department of public safety may enter into a public-private
9 partnership, through a competitive bidding process, for
10 the provision of the statewide network and the purchase of
11 compatible equipment.

12 As a condition of this appropriation, all land mobile radio
13 communications equipment purchased by the department of public
14 safety shall be compliant with the federal communications
15 commission's narrowbanding mandate and shall provide the
16 maximum amount of statewide coverage and interoperability,
17 throughout all phases of migration, to the department of public
18 safety's future statewide digital radio network utilizing P-25
19 standards.

20 On or before January 13, 2012, the department of public
21 safety shall provide a report to the legislative services
22 agency and the department of management. The report shall
23 detail the status of the funds appropriated in this subsection
24 and shall include the estimated needs of the departments of
25 public safety, corrections, and natural resources to achieve
26 interoperability and to meet the federal narrowbanding mandate,
27 any changes in estimated costs to meet those needs, and the
28 status of requests for proposals to develop a public-private
29 partnership.

30 Sec. 8. 2012 Iowa Acts, chapter 1138, section 89, is amended
31 to read as follows:

32 SEC. 89. DEPARTMENT OF NATURAL RESOURCES — ECONOMIC
33 EMERGENCY FUND. There is appropriated from the Iowa economic
34 emergency fund to the department of natural resources for the
35 fiscal year beginning July 1, 2011, and ending June 30, 2012,

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1 the following amount, or so much thereof as is necessary, to be
2 used for the purposes designated, notwithstanding section 8.55,
3 subsection 1:

4 For the repair of damages due to the flooding of the Missouri
5 river during the calendar year 2011 in the Lewis and Clark,
6 lake Manawa, and Wilson island state parks and recreation area:
7 \$ 2,865,743

8 For purposes of section 8.33, unless specifically provided
9 otherwise, unencumbered or unobligated moneys remaining
10 from the appropriation made in this section shall not revert
11 but shall remain available for expenditure for the purposes
12 designated until the close of the fiscal year that ends ~~two~~
13 three years after the end of the fiscal year for which the
14 appropriation is made. However, if the project or projects for
15 which the appropriation was made are completed in an earlier
16 fiscal year, unencumbered or unobligated moneys shall revert at
17 the close of that same fiscal year.

18 Sec. 9. 2013 Iowa Acts, chapter 142, section 1, subsection
19 1, paragraph a, is amended to read as follows:

20 a. For projects related to major repairs and major
21 maintenance for state buildings and facilities:

22 FY 2013-2014:
23 \$ 4,000,000

24 Of the amount appropriated in this lettered paragraph for
25 the fiscal year beginning July 1, 2013, \$250,000 shall be
26 allocated for the disposition and relocation of structures
27 located at 707 east locust and 709 east locust, Des Moines,
28 Iowa.

29 FY 2014-2015:
30 \$ ~~14,000,000~~
31 22,000,000

32 Sec. 10. 2013 Iowa Acts, chapter 142, section 1, is amended
33 by adding the following new subsection:

34 NEW SUBSECTION. 4A. DEPARTMENT OF HUMAN SERVICES

35 For the renovation and construction of certain nursing

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1 facilities, consistent with the provisions of chapter 249K:
2 FY 2013-2014:
3 \$ 150,000
4 Sec. 11. 2013 Iowa Acts, chapter 142, section 3, subsection
5 1, is amended by striking the subsection.
6 Sec. 12. EFFECTIVE UPON ENACTMENT. This division of this
7 Act, being deemed of immediate importance, takes effect upon
8 enactment.

9 DIVISION IV

10 MISCELLANEOUS CODE CHANGES

11 Sec. 13. Section 8.57, subsection 5, paragraph c, Code 2014,
12 is amended to read as follows:

13 c. Moneys in the rebuild Iowa infrastructure fund in a
14 fiscal year shall be used as directed by the general assembly
15 for public vertical infrastructure projects. For the purposes
16 of this subsection, *"vertical infrastructure"* includes only land
17 acquisition and construction; major renovation and major repair
18 of buildings; routine, recurring maintenance; all appurtenant
19 structures; utilities; site development; recreational trails;
20 and debt service payments on academic revenue bonds issued in
21 accordance with chapter 262A for capital projects at board
22 of regents institutions. *"Vertical infrastructure"* does not
23 include ~~routine, recurring maintenance or~~ operational expenses
24 or leasing of a building, appurtenant structure, or utility
25 without a lease-purchase agreement.

26 Sec. 14. Section 8.57, subsection 5, paragraph f, Code 2014,
27 is amended to read as follows:

28 f. (1) (a) For the fiscal year beginning July 1, 2013,
29 and for each fiscal year thereafter until the principal and
30 interest on all bonds issued by the treasurer of state pursuant
31 to section 12.87 are paid, as determined by the treasurer
32 of state, of the wagering tax receipts received pursuant to
33 sections 99D.17 and 99F.11, the first fifty-five million
34 dollars shall be deposited in the revenue bonds debt service
35 fund created in section 12.89, and the next three million

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1 seven hundred fifty thousand dollars shall be deposited in the
2 revenue bonds federal subsidy holdback fund created in section
3 12.89A.

4 (b) For the fiscal year beginning July 1, 2013, and for each
5 fiscal year through the fiscal year beginning July 1, 2019, of
6 the wagering tax receipts received pursuant to sections 99D.17
7 and 99F.11, the next fifteen million dollars shall be deposited
8 in the vision Iowa fund created in section 12.72.

9 ~~(c) For the fiscal year beginning July 1, 2013, and for~~
10 ~~each fiscal year thereafter until the principal and interest on~~
11 ~~all bonds issued by the treasurer of state pursuant to section~~
12 ~~12.81 are paid, as determined by the treasurer of state, of the~~
13 ~~wagering tax receipts received pursuant to sections 99D.17 and~~
14 ~~99F.11, the next five million dollars shall be deposited in the~~
15 ~~school infrastructure fund created in section 12.82.~~

16 ~~(d)~~ (c) For the fiscal year beginning July 1, 2013, and
17 for each fiscal year thereafter, of the wagering tax receipts
18 received pursuant to sections 99D.17 and 99F.11, the next
19 sixty-six million dollars shall be deposited in the Iowa
20 skilled worker and job creation fund created in section 8.75.

21 ~~(e)~~ (d) For the fiscal year beginning July 1, 2013, and for
22 each fiscal year thereafter, the total moneys in excess of the
23 moneys deposited under this paragraph "f" in the revenue bonds
24 debt service fund, the revenue bonds federal subsidy holdback
25 fund, the vision Iowa fund, ~~the school infrastructure fund,~~
26 and the Iowa skilled worker and job creation fund shall be
27 deposited in the rebuild Iowa infrastructure fund and shall be
28 used as provided in this section, notwithstanding section 8.60.

29 (2) For the fiscal year beginning July 1, 2013, and for each
30 fiscal year thereafter, if the total amount of the wagering
31 tax receipts received pursuant to sections 99D.17 and 99F.11,
32 and to be deposited pursuant to subparagraph (1), subparagraph
33 division (a), is less than the total amount of moneys directed
34 to be deposited in the revenue bonds debt service fund and the
35 revenue bonds federal subsidy holdback fund in the fiscal year

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1 pursuant to subparagraph (1), subparagraph division (a), the
2 difference shall be paid from moneys deposited in the beer and
3 liquor control fund created in section 123.53 in the manner
4 provided in section 123.53, subsection 3.

5 (3) For the fiscal year beginning July 1, 2013, and for
6 each fiscal year thereafter, after the deposit of moneys
7 directed to be deposited in the revenue bonds debt service
8 fund and the revenue bonds federal subsidy holdback fund, as
9 provided in subparagraph (1), subparagraph division (a), if the
10 total amount of the wagering tax receipts received pursuant
11 to sections 99D.17 and 99F.11, and to be deposited pursuant
12 to subparagraph (1), subparagraph ~~divisions~~ division (b) and
13 ~~(c)~~, is less than the total amount of moneys directed to be
14 deposited in the vision Iowa fund ~~and the school infrastructure~~
15 ~~fund~~ in the fiscal year pursuant to subparagraph (1),
16 subparagraph ~~divisions~~ division (b) and ~~(c)~~, the difference
17 shall be paid from lottery revenues in the manner provided in
18 section 99G.39, subsection 3.

19 Sec. 15. Section 8.57C, subsection 3, paragraph a, Code
20 2014, is amended to read as follows:

21 a. There is appropriated from the general fund of the state
22 for the fiscal year beginning July 1, ~~2014~~ 2015, and for each
23 subsequent fiscal year thereafter, the sum of seventeen million
24 five hundred thousand dollars to the technology reinvestment
25 fund.

26 Sec. 16. Section 8.57C, subsection 3, Code 2014, is amended
27 by adding the following new paragraph:

28 NEW PARAGRAPH. f. There is appropriated from the rebuild
29 Iowa infrastructure fund for the fiscal year beginning July
30 1, 2014, and ending June 30, 2015, the sum of seventeen
31 million four hundred thirty thousand dollars to the technology
32 reinvestment fund, notwithstanding section 8.57, subsection 5,
33 paragraph "c".

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

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1 the explanation's substance by the members of the general assembly.

2 This bill relates to and makes appropriations to state
3 departments and agencies from the rebuild Iowa infrastructure
4 fund and the technology reinvestment fund, and provides for
5 related matters. The bill is organized by divisions.

6 DIVISION I — REBUILD IOWA INFRASTRUCTURE FUND. This
7 division appropriates project funding for FY 2014-2015 from
8 the rebuild Iowa infrastructure fund for projects for the
9 departments of administrative services, cultural affairs,
10 education, human services, natural resources, public defense,
11 and transportation, and for the economic development authority,
12 Iowa state fair authority, treasurer of state, the board
13 of regents, and the Iowa finance authority. The division
14 appropriates project funding for FY 2015-2016 from the rebuild
15 Iowa infrastructure fund for projects for the department of
16 human services, and for the economic development authority and
17 the Iowa state fair authority.

18 DIVISION II — TECHNOLOGY REINVESTMENT FUND. This division
19 appropriates project funding for FY 2014-2015 from the
20 technology reinvestment fund for the departments of cultural
21 affairs, education, human rights, human services, management,
22 and public health, and for the board of regents, the Iowa
23 telecommunications and technology commission, and the office of
24 the chief information officer.

25 DIVISION III — CHANGES TO PRIOR APPROPRIATIONS. This
26 division makes a change to moneys appropriated from the rebuild
27 Iowa infrastructure fund to the department of administrative
28 services for major repairs and maintenance for state buildings
29 and facilities for FY 2014-2015 and to the board of regents for
30 FY 2014-2015. The division also eliminates an appropriation
31 from the technology reinvestment fund to the department of
32 administrative services for technology consolidation and
33 technology improvement projects approved by the state chief
34 information officer for FY 2014-2015 and makes a change to
35 the moneys appropriated to the department of public safety

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1 for the provision of a statewide public safety radio network
2 and compatible equipment for FY 2012-2013 and FY 2013-2014.
3 The division appropriates moneys to the department of human
4 services for construction costs for certain nursing facilities
5 for FY 2013-2014.

6 The division extends the reversion date for projects
7 appropriated to the departments of economic development and
8 transportation and to the Iowa finance authority from the
9 revenue bonds capitals II fund for FY 2010-2011. The division
10 also extends the reversion date for a project appropriated to
11 the department of natural resources from the Iowa economic
12 emergency fund for FY 2011-2012.

13 The division is effective upon enactment.

14 DIVISION IV — MISCELLANEOUS CODE CHANGES. The bill amends
15 Code section 8.57, subsection 5, to include routine, recurring
16 maintenance in the definition of "vertical infrastructure" for
17 purposes of the rebuild Iowa infrastructure fund.

18 The bill eliminates provisions in Code section 8.57,
19 subsection 5, paragraph "f", relating to the annual \$5 million
20 allocation beginning in FY 2013-2014, for the state wagering
21 tax receipts collected pursuant to Code sections 99D.17 and
22 99F.11 to the school infrastructure fund created in Code
23 section 12.82, due to the defeasance of school infrastructure
24 bonds in HF 648, 2013 Iowa Acts.

25 The bill provides an appropriation in Code section
26 8.57C (technology reinvestment fund) from the rebuild Iowa
27 infrastructure fund to the technology reinvestment fund for
28 FY 2014-2015 for \$17,430,000. The bill makes a corresponding
29 conforming change to Code section 8.57C, subsection 3,
30 paragraph "a", to defer the FY 2014-2015 general fund
31 appropriation to the technology reinvestment fund to FY
32 2015-2016.